

IN THE COURT OF SH. AMITABH RAWAT,  
ADDITIONAL SESSIONS JUDGE-03,  
SHAHDARA DISTRICT, KKD COURT, DELHI

**I.A No. 78-2021 (SC no. 163-2020)**

FIR No. 59/20 dated 06.03.2020

PS- Crime Branch, Delhi (Investigated by Special Cell)

U/s 13/16/17/18 UA (P) Act, 120B r/w 109/114/124-A/

147/148/149/153A/186/201/212/295/302/307/341/353/395/420/427/435/436/452/  
454/468/471/34 IPC &

Section 3 & 4 Prevention of Damage to Public Property Act, 1984  
and Section 25/27 Arms Act

**State of NCT of Delhi Vs. Tahir Hussain & ors. (Safoora Zargar)**

12.07.2021 (Proceedings through WebEx)

Vide Office Order No. **5565-5588/Judl./SHD/2021,dated 30.06.2021** of the Ld. Principal District & Sessions Judge (Officiating) Shahdara District, KKD Courts, Delhi hearing in the matters are being adjourned *en bloc* except of urgent matters, which are being taken up through video conferencing using CISCO Webex App.

Present: Sh. Amit Prasasd, Ld Special Public Prosecutor for the State.  
Sh. Ritesh Dubey, Ld. Counsel for the applicant/accused.  
Safoora Zargar.  
IO/Addl. DCP Sh. Alok Kumar with Pairavi Officer  
ASI Raj Bahadur Gill from Special cell.

**1.** Arguments heard on the application filed by applicant/accused Safoora Zargar seeking permission to visit home town. I have perused the record.

**2.** It is submitted by the Ld. Counsel for the applicant Safoora Zargar that she was granted regular bail by virtue of order dated 23.06.2020 of Hon'ble High Court of Delhi and one of the conditions of the bail was that permission of the concerned Court is required if the applicant wants to leave the National Capital Territory of Delhi. It is submitted that applicant is presently residing at her matrimonial home in Delhi i.e. Flat No. 307, T-2/45, 3<sup>rd</sup> Floor, Abdul-Rab Apartments, Street No.1, Ghaffar Manzil, Ghaffar Manzil Colony, New Delhi-

110025 and now the applicant wants to go to her home town situated at Kishtwar, Kashmir.

It is submitted by the Ld. Counsel for the applicant Safoora Zargar that applicant/accused has had her child on 12.10.2020 and she and her family wishes to perform one of the compulsory ceremonies in Muslim Law 'Aqiqah' on the occasion of festival of Eid-ul-Milad, which is to be observed on 20.07.2021 and the entire family and in-laws of the Applicant would be in their hometown Kishtwar, Kashmir for the festival. Since the hometown of the Applicant/Accused and her husband is in Kishtwar, the ceremony of Aqiqah will have to be performed there only.

It is further submitted that applicant has been complying with all other conditions of bail as ordered by the Hon'ble High Court of Delhi. The applicant has attended all previous hearings in this case and undertakes to attend all future hearings whether physical or virtual as and when notified. The applicant is not a flight risk and is ready to abide by any condition imposed by this court.

It is, therefore, prayed that applicant/accused may be allowed to visit and stay in Kishtwar so that she can meet her family members, relatives, and extended families' at her hometown for 30 days i.e. from 16.07.2021-16.08.2021.

**3.** Ld. Special Public Prosecutor submits that he has no objection to the said application and the appropriate conditions may be imposed by the court.

**4.** (a) The applicant/accused Safoora Zargar was granted bail by Hon'ble High Court of Delhi vide order dated 23.06.2020 in Bail Appl. No. 1318/2020 and since there was condition in the bail order that applicant would seek permission from the Trial Court before leaving the National Capital Territory of Delhi.

(b) In the present case the next date of hearing is 15.07.2021. The

applicant has sought permission for going to her home town Kishtwar after court hearing on 15.07.2021 for a period of one month.

(c) The present application has not been opposed by the Prosecution nor is there submissions that any bail conditions have been violated by the applicant so far nor she has violated the norm in attending the court.

**5.** Considering the submissions on behalf of the applicant, prosecution and the record, the present application of the applicant to visit her home town at Kishtwar, Kashmir is allowed from 16.07.2021 onwards for a period of one month.

The applicant shall continue to diligently observe all the bail conditions as imposed by the Hon'ble High Court of Delhi. The applicant shall also furnish the itinerary of her visit to the investigating officer through official email. The applicant will 'drop-a-pin' on Google maps, so that the Investigating Officer can verify the applicant's presence and location. The mobile numbers of the Investigating Officer is already known applicant and is also mentioned in the present application.

Application is disposed off on the above mentioned terms.

**6.** Copy of this order be mailed to the Ld. Counsel for applicant/accused, Ld. Special Public Prosecutor and the Investigating Officer.

(Amitabh Rawat )  
Addl. Sessions Judge-03  
Shahdara District, KKD Courts,  
Dated : 12.07.2021.