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ITEM NO.801

COURT NO.6

SECTION II

S U P R E M E C O U R T O F I N D I A R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 5442/2023

(Arising out of impugned final judgment and order dated 05-04-2023 in CRLA No. 2734/2022 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

THE STATE OF UTTAR PRADESH

Petitioner(s)

VERSUS

MAULANA KALEEM SIDDIQUI

Respondent(s)

(IA No.87575/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.87573/2023-EXEMPTION FROM FILING O.T. & IA 247451/2023- FOR DIRECTIONS)

Date : 01-12-2023 This petition was mentioned today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Ms. Garima Prashad, Sr.Adv./AAG
Mr. Adarsh Upadhyay, AOR
Mr. Divyanshu Sahay, Adv.
Ms. Charu Singhal, Adv.
Ms. Pallavi Kumari, Adv.

For Respondent(s) Mr. Jitendra Mohan Sharma, Sr.Adv.
Mr. Akshat Sharma, Adv.
Mr. Amrit Pradhan, Adv.
Mr. Siddharth Kaushik, Adv.
Mr. Pahlad Singh Sharma, AOR
A. Ranganathan, Adv.

UPON being mentioned the Court made the following
O R D E R

This matter was mentioned at the first sitting of the Court and is being taken up after completion of the regular list treating it to be on today's Board considering the urgency pleaded on behalf of the applicant.

The application registered as IA No.247451/2023, has been

taken out by the respondent/applicant - Maulana Kaleem Siddiqui seeking temporary relaxation of certain conditions on his bail imposed by an order of this Court passed on 09.05.2023. On that date, this Court had passed an interim order imposing certain conditions in addition to that which was imposed by the High Court while enlarging him on bail. These conditions were to the effect that during the period he remained enlarged on bail, he was not to leave the National Capital Territory of Delhi (hereinafter called "the NCT") except for the purpose of attending the trial or for the purpose of meeting the investigating officer. The said order further specified that if he left the NCT for the aforesaid purposes, then also he was to give prior intimation to the ACP, Anti Terrorist Squad, Noida, Uttar Pradesh. There are certain other directions issued, but for the purpose of adjudication of the present application, we need not repeat them.

The prayer of the respondent/applicant is for permitting him to leave the NCT to enable him to travel to his native Village Fulat (Phulat), Khatauli, District Muzaffarnagar, Uttar Pradesh for a duration of three days i.e. from 01.12.2023 to 03.12.2023 and again for a duration of four days i.e. from 29.12.2023 to 01.01.2024. It is submitted by learned senior counsel for the respondent/applicant that three of his grand children/great grand child are getting married during this period and he wants to go to his native village for that purpose.

Considering these special circumstances, we allow this application in terms of prayer "(a)" of the application. The applicant shall be permitted to enter Uttar Pradesh and to to his

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native Village Fulat (Phulat) for the purpose of attending the weddings of three of his grand children/great grand child, subject to the following conditions.

He shall be entitled to enter Uttar Pradesh for the said purpose on the dates specified in prayer "(a)" of the application. On completion of the said three and four days in two tranches, as contained in prayer "(a)" of the application, he shall return to his present place of residence in Delhi. While in his native village, he shall not participate in any political or social activities apart from attending or participating in the marriages rituals and ceremonies at Super Farm, in front of Golden Heart School, Budhana Road, Khatauli. He shall not deliver any public speech while remaining in his native village. The applicant's location setup on his mobile phone shall remain open during his entry, stay and exit to, in and from the State of Uttar Pradesh and on reaching his native village he shall report to the Station House Officer of the Police Station within whose jurisdiction the said village is located once every day. On his return to Delhi after each of the two visits to his native village, he shall inform the said fact to the ACP, Anti Terrorist Squad, Noida, Uttar Pradesh.

The present application is disposed of in the above terms.

(NIRMALA NEGI)
COURT MASTER (SH)

(VIDYA NEGI)
ASSISTANT REGISTRAR