

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL.) NO.208/2024

ABBAS ANSARI

PETITIONER

VERSUS

STATE OF UTTAR PRADESH & ANR.

RESPONDENTS

O R D E R

1. The instant application (IA No.116965/2024) has been moved seeking following prayers:-

"a) Pass an appropriate writ, order, or direction to grant permission to the Petitioner to attend the private prayer ceremony organised at his home in Mohammadabad, Ghazipur, Uttar Pradesh on Monday, June 10, 2024 and be allowed to remain with his family at his house thereafter on Tuesday, June 11, 2024, and Wednesday, June 12, 2024.

b) Pass any other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and thereby render justice."

2. As noticed briefly in our order dated 09.04.2024, the petitioner is in judicial custody in relation to the criminal cases referred to in paragraph 1 of the said order. The petitioner filed the writ petition seeking interim bail to attend the funeral ceremony of his father, who passed away on 28.03.2024. Due to efflux of time, the prayer to attend the funeral rites had become infructuous. It was then noticed that Fatiha ritual was fixed for

10.04.2024 and we found no good reason to deny the petitioner to attend that ritual for which, it was directed that the petitioner, who is presently lodged in District Jail, Kasganj, Uttar Pradesh, shall be taken to the Central Jail, Ghazipur, Uttar Pradesh, which is his home town. The petitioner was permitted to participate in the ritual in police custody and after attending the rituals, he was required to be shifted to local jail i.e., Central Jail, Ghazipur. It was also directed that the petitioner shall be allowed to meet his family members, relatives and other visitors for two days on 11.04.2024 and 12.04.2024. The directions for adequate and appropriate security arrangements were also issued to the Director General of Police, Uttar Pradesh with a further direction that the petitioner shall be brought back to Kasganj Jail on 13.04.2024.

3. In the instant application, the petitioner seeks permission to allow him to attend the private prayer service scheduled to be held on 10.06.2024 at his home in Mohammadabad, Ghazipur, Uttar Pradesh. The prayer service is being held in remembrance of the petitioner's father. He also seeks the directions to allow him to spend time with his family at his home on 11.06.2024 and 12.06.2024. The petitioner has further explained that there are two rituals to be organized on 10.06.2024, i.e., (i) Quran-khwani (Recitation of the complete Quran by those present followed by a prayer for the deceased; (ii) Visit to the

grave of the deceased followed by a Fatiha at the site.

4. We have heard learned counsel for the petitioner in support of the prayers as well as Ms. Garima Prashad, learned Additional Advocate General for the State of Uttar Pradesh.

5. In our considered view, the petitioner deserves to be allowed to attend the private prayer service scheduled to be held on 10.06.2024 and participate in both the rituals which are being organized on that date. Similarly, the petitioner can be permitted to spend time with his family members at his home on 11.06.2024 and 12.06.2024.

6. The petitioner shall be allowed to participate in the rituals and to meet his family members while in police custody under the same arrangement which we had directed vide order dated 09.04.2024.

7. Since there is a sufficient time with advance notice to the State Authorities, it is directed that the petitioner will be temporarily shifted to Central Jail, Ghazipur well before 09.06.2024. He shall be taken in the morning at 9 a.m. on 10.06.2024 and allowed to participate in both the rituals without any hindrance but in police custody.

8. The petitioner shall again be taken to his home in Mohammadabad, Ghazipur, Uttar Pradesh on 11.06.2024 and 12.06.2024 and will be allowed to spent time with his family or close relatives on both the dates between 9 a.m. to 6 p.m., again in police custody only.

9. The Director General of Police and the District Police Authorities are directed to ensure that no untoward incident take place. The Police Authorities are directed to frisk the visitors and make sure that no weapons etc. are carried by anyone, even an authorized weapon, at the petitioner's home or the places where both the rituals are to take place on 10.06.2024.

10. The State Police is directed to make adequate and appropriate security arrangements for the upward and downward journey of the petitioner from Kasganj jail to Ghazipur jail and again from Ghazipur jail to Kasganj jail, besides during the period when he stays at home or attend the rituals.

11. The State Police will take the petitioner back to Kasganj jail on 13.06.2024, leaving Ghazipur that morning.

12. The learned counsel for the petitioner states that during his visit from 10.06.2024 to 12.06.2024, the petitioner will not interact with the media and will not address any print or electronic media.

13. Learned counsel for the petitioner has shown some photographs, which were seen and returned back. Learned Additional Advocate General in this regard submits that law and order and security shall be vigorously enforced, however, the privacy and dignity of the women folk, like it was not affected in the past, will not be affected in any manner.

14. The Writ Petition as well as all pending

Interlocutory Applications are stand disposed of in terms of the above directions.

.....J.  
(SURYA KANT)

.....J.  
(K.V. VISWANATHAN)

New Delhi;  
May 15, 2024

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s).208/2024

ABBAS ANSARI

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(FOR ADMISSION and IA No.110125/2024-EX-PARTE AD-INTERIM RELIEF and  
IA No.110126/2024-EXEMPTION FROM FILING O.T.)

Date : 15-05-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Nizam Pasha, Adv.  
Mr. Lzafeer Ahmad B. F., AOR  
Mr. Sidharth Kaushik, Adv.

For Respondent(s) Ms. Garima Prashad, AAG  
Mr. Shaurya Sahay, Adv.  
Mr. Samyak Jain, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. The Writ Petition is disposed of in terms of the signed order.
2. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
COURT MASTER (NSH)

(signed order is placed on the file)