

* **HIGH COURT OF DELHI : NEW DELHI**

Date of hearing and order: 12th September 2008

+ **Bail App. No. 1784/2008**

% Shokin ... Petitioner

Through: Mr. R.P. Luthra, Advocate.

versus

The State.

... Respondent

Through: Mr.R.N.Vats, Additional
Public Prosecutor for the State

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

1. Whether the Reporters of local papers may be allowed to see the judgment?
2. To be referred to Reporter or not?
3. Whether the judgment should be reported in the Digest?

SUNIL GAUR, J. (Oral)

1. Petitioner is facing trial in a case under the Narcotic Drugs and Psychotropic Substances Act. He had sought interim bail to get his child operated for Appendix. The prayer of the petitioner stands rejected by the trial court as the application was not accompanied by a medical certificate of the doctor. Now the medical certificate dated 14th August, 2008 has been filed alongwith the present petition. Notice of this petition was issued to the state with a direction to verify the factum of the operation of the child of the petitioner. Today, learned Additional Public

Signature Not Verified

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Prosecutor for the state has placed on record the verification report stating that the operation of the child of the petitioner could not be conducted for want of an attendant.

2. Learned counsel for the petitioner has placed on record a true copy of order dated 17th March, 2008 vide which this court had earlier granted interim bail to the petitioner for three weeks. Learned counsel for the petitioner states that the petitioner had not misused the interim bail granted to the petitioner and had surrendered on time. Learned counsel for the petitioner further states that he would get the child operated within a period of one month. Learned counsel for the petitioner states that within a fortnight from the date of release of the petitioner on interim bail, he would get a date fixed for operation of his child and if he is not able to do so, then he will surrender within a fortnight of his release.

3. In view of the aforesaid stand taken and the fact that the factum of the need for operation of the child of the petitioner stands verified, this petition is allowed and petitioner is granted interim bail for a period of one month from the date of his release subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial court.

4. It is made clear that in case petitioner is not able to get the date for operation of his child within a fortnight of his

release, then he would surrender on the 15th day itself.

5. The petition stands disposed of accordingly.

6. Dasti.



Sunil Gaur, J.

September 12, 2008
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