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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 142/2016**

JITENDER

..... Petitioner

Through: Mr Sunil Mehta, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms Radhika Kolluru, APP.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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21.01.2016

CRL.M.A. 1052/2016 (Exemption)

Exemption is granted subject to all just exceptions.

The application is disposed of accordingly.

BAIL APPLN. 142/2016

The present is an application under Section 439 of the Code of Criminal Procedure, 1973 for interim bail in FIR No.70/2013 under Section 20/29 NDPS Act registered at Police Station- Sagarpur.

In the present application it is observed that the applicant has been granted interim bail by this court on numerous occasions in the past so as to enable him to get medical treatment for his minor daughter, who suffers from mental illness.

It is also observed that by way of order dated 26.11.2015 whilst extending the interim bail granted to the applicant, it was made clear that no further application for extension shall be entertained by this court on any account or ground whatsoever.

Learned counsel appearing on behalf of the applicant states that the present application has been warranted on account of the circumstance that his sister's daughter, namely, Simran is scheduled to be married on 30.01.2016 and

his presence would be essential, inasmuch as, as a *Mama* he will have to perform *Bhaat* ceremony.

The present application is opposed on behalf of the official respondent on the ground that it would set an unhealthy precedent for this court to entertain the present application in view of the order passed by this court on 26.11.2015.

Whilst agreeing with the submission made on behalf of Ms Radhika Kolluru, learned APP appearing for the official respondent, I am of the considered view that in the interest of justice and on humanitarian grounds, it would be just, proper and necessary to grant interim bail to the applicant for a period of four days. Consequently, the applicant shall be released on interim bail for four days with effect from 27.01.2016 on his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one surety of the like amount to the satisfaction of the Trial Court. The applicant shall surrender before the jail authorities at the expiry of the period of interim bail.

It is, however, observed that the present order shall not operate as a precedent and the injunction expressed in the order dated 26.11.2015 by this court to the effect that no further application for extension shall be entertained by this court on any account or ground whatsoever, shall also extend to any fresh application for interim bail.

With the above directions the application is disposed of.

It is also made clear that the applicant shall present himself before the trial court without demur on 02.02.2016 regardless of whether he is availing the bail granted to him by this court or not.

A copy of this order be given *dasti* under signature of Court Master to counsel for the parties.

SIDDHARTH MRIDUL, J

JANUARY 21, 2016/mk