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

+ BAIL APPLN. 254/2016 and Crl. MA No. 1930/2016 (Exemption)

PARVEEN KUMAR

..... Applicant

Through

Mr. V.V. Gautam with Mr. Rakesh
Puri and Mr. Akshay Bhatia, Advs.

versus

STATE

..... Respondent

Through

Mr. Ravi Nayak, APP for the State
SI Vinay Kumar, P.S. Special Cell

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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03.02.2016

The present is an application under Section 439 of the Code of Criminal Procedure, 1973 seeking interim bail in FIR No. 239/2008 under Section 364A IPC registered at Police Station- Ambedkar Nagar, Delhi.

Learned counsel appearing on behalf of the applicant states that the mother of the applicant requires knee surgery urgently and; that there is nobody in the family of the accused except him to take his mother to the hospital for operation; and to take care of his mother before, during and after the operation including physiotherapy as may be prescribed by the doctor; and to take care of his eight year old daughter during this period.

The applicant is also aggrieved by the order dated 27th January, 2016 passed by the learned Additional Sessions Judge, New Delhi District, Patiala House Courts, New Delhi whereby his application for grant of interim bail on the afore-stated grounds was dismissed.

A perusal of the order dated 27th January, 2016 reveals that the applicant had previously moved a similar application for grant of interim bail on identical grounds. By an order dated 21st December, 2015, the learned Additional Sessions Judge, New Delhi District, Patiala House Courts, New Delhi had granted the applicant interim bail for a period of fifteen days which was extended by an order dated 7th January, 2016 till 11th January, 2016.

Despite the grant of interim bail as afore-stated, the applicant failed to arrange any money for his mother to undergo the said operation. Furthermore, it is revealed that the presence of the applicant is not necessary for this purpose since there are other family members who can take care of his mother at the time of her surgery and recovery.

I see no reason to disagree with the order passed by the learned Additional Sessions Judge, New Delhi District, Patiala House Courts, New Delhi.

The present bail application is devoid of any merit and the same is hereby dismissed.

Pending application also stands disposed of.

SIDDHARTH MRIDUL, J

FEBRUARY 03, 2016

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