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

+ **BAIL APPLN. 2617/2015**

**PANKAJ UPADHYAYA**

..... Petitioner

Through: **Mr.S.K. Santoshi, Advocate**

versus

**STATE**

..... Respondent

Through: **Ms.Rajni Gupta, APP for the State  
with SI Sandeep Kumar, Special  
Cell/NR**

**CORAM:**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**

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**06.04.2016**

1. By way of this application filed under Section 439 Cr.P.C., the petitioner seeks suspension of sentence and grant of bail to him for a period of two months for attending his ailing wife who has been advised to undergo operation of Hernia.

2. Heard. Status report on behalf of the state has been filed, which is to the following effect:

*“It is further stated that HC Suresh, No. 832/SB was sent to Barielly, UP for verification of illness of wife of accused namely Preeti Sharma and medical papers submitted in this regard. A report dated 04/04/2016 in this regard was obtained from Medical Superintendent, Maharana Partap District Combined Hospital, Bareilly, UP. Dr. Manish Pal Singh has stated that the patient Preeti Sharma had attended OPD on 27/02/2016 and she was advised for surgery. She again visited OPD on 02/04/2016 and blood test was done. In blood test*

*report, sugar level of the patient was found on higher level and she was referred to a physician for medication. The patient has been advised for surgery after lowering blood sugar level. The concerned doctor also opined that the patient will be admitted for at least 10 days in the hospital and will take 25-30 days to cure the elements after her sugar level normalize. But no date for surgery has been fixed till date.”*

3. Looking into the facts and circumstances of the case and medical condition of the wife of the Appellant, which fact has been duly verified by the State, I find it to be a fit case to enlarge the Petitioner on interim bail. It is directed that the Petitioner be released on interim bail for a period of three weeks from the date of his release subject to his furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the concerned trial Court and subject to following conditions :

(i) The Petitioner shall not leave the country without the permission of the Court.

(ii) During the pendency of the trial, the Petitioner shall not contact the Complainant or other public witnesses in any manner whatsoever.

4. It is made clear that he will seek his release only after the date for surgery of his wife is fixed.

5. Application stands disposed in the above terms.

6. A copy of this order be sent to the concerned Jail Superintendent for information.

Order *dasti*.

**PRATIBHA RANI, J.**

**APRIL 06, 2016**

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