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

+ **BAIL APPLN. 1603/2017**

**GOPAL MASIH**

..... Petitioner

Through

Mr. Arvind K. Nigam, Sr. Adv. with  
Mr. Abhimanue Shrestha & Mr.  
Mikhil Sharda, Advs.

versus

**STATE (GOVT OF NCT OF DELHI)**

..... Respondent

Through

Mr. Ashish Dutta, APP.  
SI Prempal Singh, P.S. Bhajanpura  
Insp. Dharam Dev, DIU/NE  
Mr. Antony R. Julian, Adv. for the  
complainant

**CORAM:**

**HON'BLE MR. JUSTICE ASHUTOSH KUMAR**

**ORDER**

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**17.08.2017**

**CRL. M.A.13184-85(Exemption)**

Exemptions allowed subject to all just exceptions.

Applications stand disposed of.

**BAIL APPLN. 1603/2017**

The petitioner seeks bail in connection with FIR No.1050/2015 dated 02.10.2015 (P.S. Bhajanpura) instituted for offences under Sections 420, 467, 468, 471, 120B and 34 of the IPC.

The petitioner is alleged to have forged and fabricated documents to create his ownership in a land which belongs to the complainant society, namely, Evangelical Church of India and has sold such property to others. It

has been submitted that the property was purchased by the petitioner sometimes in the year 1989 and he sold the same in the year 2000. The present FIR has been lodged in the year 2015.

Mr. Arvind Nigam, learned senior advocate, drew the attention of this court to the order dated 11.08.2017 passed by a bench of this court whereby the petitioner was granted interim bail on medical grounds till 16.08.2017.

The petitioner is required to surrender today.

However, during the course of the argument, Mr. Nigam expressed his desire, considering the medical emergency, to convert the present petition into an interim bail application/extension of interim bail, which was granted to the petitioner for the aforesaid purpose i.e. for his treatment in Medanta hospital.

It has been prayed that this application be treated as an interim bail application/extension of interim bail.

Without prejudice to the rights of the petitioner to approach this court again for grant of regular bail, the oral prayer made on behalf of the petitioner is allowed.

This petition is now being treated as interim bail application/extension of interim bail.

Learned counsel for the petitioner has drawn the attention of this court to Annexure-9 which indicates that the petitioner is suffering from multiple critical lesion in all the coronaries. He has been advised to undergo revascularization as soon as possible. The petitioner, it has been submitted, is required to be admitted for Coronary Artery Bypass Grafting (CABG) operation on 18.08.2017 in Medanta hospital. The aforesaid contentions have also been taken note of by the court below while rejecting the prayer of

the petitioner. It has also been submitted on behalf of the petitioner that his wife was also made a co-accused in this case and she died in jail. The petitioner was in custody in connection with this case from 03.01.2017 and was released on interim bail on 11.08.2017.

Regard being had to the aforesaid facts, this court is inclined to extend the interim bail granted to the petitioner. The petitioner shall remain on bail on the same bail bonds for a period of one month to be counted from today i.e. 17.08.2017.

The petitioner shall positively surrender before the jail authorities on or before 18.09.2017.

The medical prescriptions and the CDs pertaining to the health records of the petitioner are lying with the Superintendent of the concerned jail. The same may be returned to the petitioner, on his asking today, so that he may take it to the hospital for further treatment and needful.

The bail application is disposed of.

The order be communicated to the Superintendent of the concerned jail.

Copy of this order be given dasti under the signature of the Court Master.

**ASHUTOSH KUMAR, J**

**AUGUST 17, 2017**

**ns**