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

+ **BAIL APPLN. 1656/2017**

**SUKHDEV SINGH NAMDHARI** ..... Petitioner

Through: Mr.Ramesh Gupta, Sr. Adv. with  
Mr.Bharat Sharma, Adv.

versus

**STATE OF NCT OF DELHI** ..... Respondent

Through: Mr.Hirein Sharma, APP for State  
Inspector Vipin Yadav, Crime Branch  
Mr.Tanmaya Mehta, Adv. for victim.

**CORAM:**

**HON'BLE MR. JUSTICE I.S.MEHTA**

**ORDER**

% **07.09.2017**

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner seeking grant of interim bail for a period of three months in case FIR No.497/2012, under Sections 147/148/149/302/307/325/342/365/368/395/397/449/450/452/201/120-B/34 IPC read with Sections 25/27/54/59 Arms Act, registered at Police Station-Mehrauli, Delhi.

Learned senior counsel for the petitioner submits that the petitioner is an innocent person and allegations alleged in the aforesaid FIR is false. He has further submitted that the condition of the petitioner's mother is deteriorating day by day and at present due to severe heart attack/ailment she is admitted in Kalra Hospital SRCNC Pvt. Ltd., Tulsi Dass Kalra Marg, Kirti Nagar, New Delhi in ICU. He has further submitted that the mother of the petitioner requires constant care and attention and there is no other male member in the family to look after the ailing mother. He has further submitted that the necessary arrangements including financial arrangements

for the treatment has also to be made by the petitioner for proper and best possible medical treatment of his mother and prays that the petitioner be released on interim bail for a period of three months.

On the other hand, learned APP for the State has vehemently opposed the bail application and has submitted that the Bail Application No.476/14 filed on behalf of the petitioner seeking regular bail has been dismissed by this Court on 01.04.2016 and the petitioner also filed Special Leave to Appeal (Crl.) No.4458/2016 in Hon'ble Supreme Court of India against the order dated 01.04.2016 passed by this Court in Bail Application No.476/14 and the Hon'ble Supreme Court of India dismissed the bail application. Learned APP for State has further submitted that there are other members in the family to look after the mother of the petitioner and prays that the application for interim bail be dismissed.

Looking into the facts and circumstances of the case and keeping in view the seriousness of the offence committed by the petitioner, I do not find it a fit case to grant interim bail to the petitioner at this stage. However, the concerned Jail Superintendent is directed to take the petitioner to the hospital (where the mother of the petitioner is stated to be admitted) in police custody on 11.09.2017 and 15.09.2017 from 02:00 pm to 04:00 pm.

The present petition is disposed of accordingly.

Copy of this order be sent to the concerned Jail Superintendent for necessary compliance.

Copy of this order be given *dasti*, as prayed.

**I.S.MEHTA, J**

**SEPTEMBER 07, 2017/sr**