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

+ **BAIL APPLN. 824/2018**

SUDESH

..... Petitioner

Represented by: **Mr. Girish Kumar Sharma,**
Advocate.

versus

THE STATE

..... Respondent

Represented by: **Ms. Rajni Gupta, APP for State**
with **SI Yadram Yadav, PS**
Moti Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.04.2018

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1. By this petition the petitioner seeks interim bail on the ground that her surgery for cholelithiasis is required to be done.
2. On a notice being issued a status report has been filed. In the status report the State has only revealed facts relating to the merits. There is no reply as to whether the medical documents filed by the petitioner have been verified and the status thereof.
3. Learned APP for the State on instructions submits that the reply with regard to the verification of documents is inadvertently not mentioned in the status report. On instructions from the Investigating Officer, she states that the medical documents have since been verified. A report has also been called from the Superintendent, Tihar Jail as to the medical status of the petitioner. As per the report, petitioner is a follow up case of cholelithiasis/low backache which is being managed conservatively. The

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petitioner was sent to G.B. Pant Hospital, Gastrosurgery department and was advised surgery on 27th April, 2018 after her cardiologist review and pre anaesthetic check up was done, however, the petitioner refused to undergo surgery.

4. Learned counsel for the petitioner states that the petitioner can get her treatment done and since there were earlier stomach surgeries of the petitioner performed more caution is required to be taken. He states that if interim bail is granted to the petitioner, she would stay at her own residence which is lying locked and her mother, who lives in Sonapat, and her paternal uncle would accompany her.

5. Considering that the petitioner is required to undergo surgery for gallbladder stone, this Court deems it fit to grant interim bail to the petitioner. It is, therefore, directed that the petitioner be released on interim bail for a period of three weeks from the date of her release on her furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the learned Trial Court/CMM concerned. During the period of interim bail, the petitioner/surety will keep their mobile phones in active mode so that as and when required petitioner can be contacted. Petitioner will also not leave Delhi without prior permission of this Court.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

APRIL 26, 2018/‘vn’

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