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

% Judgment delivered on: 29.10.2018

+ BAIL APPLN. 2491/2018

NITIN CHAWLA

..... Petitioner

versus

STATE (NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Usha Pandey, Advocate.

For the Respondent : Ms. Kusum Dhalla, APP for the State.
SI Sushil Sanwaria, PS Defence
Colony.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

29.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks interim bail for a period of four weeks in FIR No.115/2016 under Sections 498A/304B/306/34 IPC, Police Station Defence Colony. The petitioner has been in custody since 26.03.2016.

2. Interim bail is sought on the ground that the three family members of the petitioner, i.e., his father, mother and brother are ailing. It is contended that the mother of the petitioner is suffering from chronic kidney disease, anaemia and hypertension. Mother has been advised preparation for dialysis. Father is aged 78 years and is also suffering from old-age ailments apart from cataract. The brother of the petitioner is

alleged to be suffering from depression and is under treatment for the last four years.

3. Status report has been filed. The Investigating Officer has verified the medical documents of all the three.

4. Without commenting on the merits of the case and keeping in view the totality of the facts and circumstances of the case and the fact that the mother of the petitioner has been, *inter alia*, advised preparation for dialysis and as per the report dated 03.10.2018, she requires treatment for 6-8 weeks, the father is aged 78 years and the brother is suffering from depression, I am inclined to grant interim bail to the petitioner for a period of four weeks from the date of his release.

5. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Trial Court, petitioner shall be released on interim bail for a period of 4 weeks from the date of his release. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall not leave the country without the permission of the Trial Court. Petitioner shall duly surrender to the concerned Superintendent Jail on the expiry of 4 weeks of his release.

6. The petition is disposed of in the above terms.

7. Order Dasti under the signatures of the Court Master.

OCTOBER 29, 2018/st

SANJEEV SACHDEVA, J