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

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Judgment delivered on: 11.02.2019

+ BAIL APPLN. 213/2019

PRAKASH GUPTA

..... Petitioner

versus

STATE OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Jitendra Sethi and Mr. Hemant Gulati, Advs.

For the Respondent: Mr. Hirein Sharma, Addl. PP for the State with SI Rohit Kumar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks interim bail in FIR No.62/2017 under Section 409 IPC, Police Station Vasant Kunj on the medical ground of wife of the petitioner.

2. It is contended that the wife of the petitioner is 34 weeks' pregnant and certain complications have developed for which the doctor has opined that she requires a caesarean operation within two weeks.

3. Status report has been filed and the same is taken on record.

Status report confirms that the wife of the petitioner is 34 weeks pregnant and is not able to move around freely due to several back and symphocal pain. There is no other family member residing with the wife of the petitioner. Doctor has stated that she is scheduled for caesarean operation at around 36 – 37 weeks i.e., two-three weeks from the said date.

4. Keeping in view the totality of the facts and circumstances, I am of the view that petitioner is entitled to interim bail for a period of four weeks.

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 four 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 country without permission of the trial court. Petitioner shall surrender to the concerned Superintendent (Jail) on expiry of four weeks from the date of his release.

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

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

FEBRUARY 11, 2019
‘rs’

SANJEEV SACHDEVA, J