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

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Judgment delivered on: 04.07.2019

+ BAIL APPLN. 1476/2019

SANJAY MAHALWAL

..... Petitioner

versus

STATE OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Jitender Tyagi with Mr. K.D. Pandey, Advocates.

For the Respondent : Mr. Hirein Sharma, APP for the State.
SI Avdhesh Dixit, PS Saket.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks interim bail for a period of two months in case FIR No. 1213/2015 under Sections 363/376D/34 IPC and 6 POCSO, Police Station Saket.

2. Petitioner seeks interim bail on the ground that his grandfather is virtually on his last stage and there is no other male member in the family to take care of the grandfather. It is contended that the younger brother of the petitioner is studying engineering and lives in a hostel.

3. Learned counsel for the petitioner submits that the petitioner was earlier also granted interim bail and had duly complied with the conditions

for grant of bail.

4. State report has been filed which reports that the grandfather of the petitioner, who is aged 82 years, is suffering from several age- related ailments. Statement of the doctor/surgeon and owner of Mehta Hospital, where the grandfather is under treatment, is also annexed with the status report. The doctor has stated that the grandfather, on account of his age and ailments, is virtually on his last stage and at this stage it is not possible to give him further treatment.

5. Without commenting on the merits of the case and keeping in view the totality of facts and circumstances, I am of the view that the petitioner is entitled to interim bail for a period of 3 weeks.

6. Accordingly, subject to 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 is granted interim bail for a period of 3 weeks from the date of his release. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall also not leave the country without the permission of the Trial Court. Petitioner shall surrender to the concerned Superintendent Jail on expiry of the period of three weeks of his release.

7. Petition is disposed of in the above terms.

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

JULY 04, 2019/st

SANJEEV SACHDEVA, J