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

+ **BAIL APPLN. 3058/2019**

AJAY KUMAR

..... Petitioner

Through: **Mr. Chirag Khurana, Adv.**

versus

STATE

..... Respondent

Through: **Mr. Panna Lal Sharma, APP for State
with SI Babita, PS – Rajouri Garden**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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14.01.2020

CRL. M.A. 42340/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, petitioner seeks interim bail for a period of one month in case FIR No. 1322/2015 registered at Police Station – Punjabi Bagh for the offences punishable under Sections 377/323/506 IPC and Section 6 POCSO Act.
4. As stated in the present petition that the petitioner has been granted interim bail on numerous occasions and has duly surrendered well in time.
5. Learned counsel appearing on behalf of the petitioner submits that petitioner was granted custody bail for performing the last rites of his father

and then he had moved an application for grant of interim bail which was allowed for a period of 15 days. It is further stated that pursuant to the grant of interim bail, the petitioner performed all the customs and duties being the eldest son, however, in the interregnum, the mother of the petitioner had gone in a state of shock so much so that she has more or less lost her orientation. Based on the precarious condition of his mother, the petitioner again moved an application for the extension of the interim bail on 27.11.2019 and same was dismissed.

6. Learned counsel submits that mother of the petitioner needs her son in this hour of grief and sorrow especially when his younger brother is working and stays in Khari Baoli as has been admitted in status reports filed by the Local Police Station before the Ld. Sessions Court.

7. Learned counsel appearing on behalf of the State has fairly conceded the fact that the petitioner never violated the terms of interim bail, however, submits that last rites of his father have already been over and his younger brother can take care of his mother. Therefore, there is no occasion for grant of interim bail.

8. However, keeping in view the fact that recently father of the petitioner has expired and his mother is in trauma and petitioner has never violated the terms of the interim bail earlier granted to him. Therefore, I hereby grant interim bail for a period of four weeks with effect from the date of his release.

9. Accordingly, he shall be released on bail on his furnishing personal bond in the sum of ₹15,000/- with one surety of the like amount to the

satisfaction of the Trial Court.

10. The application is allowed and disposed of.
11. Order *dasti* under the signatures of Court Master.
12. Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for compliance.

SURESH KUMAR KAIT, J

JANUARY 14, 2020

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