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

+ **BAIL APPLN. 15/2020**

SUDHIR BAJAJ

..... Petitioner

Through Mr Sidhant Nath, Mr Pritish Sabharwal,
Advocate with Mr Sumita Bajaj, Advocates.

versus

STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State.
SI Vineet, D-3292 P.S. Anand Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.01.2020

1. The petitioner has filed the present petition, *inter alia*, seeking interim bail for a period of three months in connection with FIR No. 0301/2019 under Section 420/406/467/471/34 IPC registered with Police Station Anand Vihar.
2. It is contended on behalf of the petitioner that his son is suffering from schizophrenia and is required to be admitted to Sarvodaya Hospital for a period of six weeks for his treatment. He states that the petitioner's son has been under treatment for many years and is now suffering from an acute attack. He also states that the petitioner is also required to be admitted along with him as an attendant as it is difficult to manage his son. It is further stated that his wife (the mother of the patient) is also not in a position to render the necessary assistance that is required.

3. Mrs Kusum Dhalla, learned APP appearing for the State has filed a status report. She points out that the certificates relied upon by the petitioner have been issued by one Dr Raka Singh, who is an Obstetrician & Gynaecologist. She further states that the condition described is not one that can be resolved/treated in a short span of time and it is obvious that the petitioner would also seek further extension of bail on the basis of the same medical ground.

4. Mr Sidhant Nath, learned counsel appearing for the petitioner states, on instructions, that the petitioner would not seek extension of bail under any circumstances and shall surrender on or before the expiry of the period of interim bail. He further states that the petitioner shall immediately proceed from the custody, to the hospital in question and remain there till he surrenders on completion of the period. He further states that the certificates relied upon by the petitioner have been issued by a doctor who is not a psychiatrist; nonetheless, she is entitled to issue such certificates in her capacity as the Medical Superintendent of the hospital. He submits that notwithstanding that the certificate has been issued by Dr Raka Singh, the petitioner's son would be admitted for psychiatric treatment under the consulting specialist.

5. Although, there seems some doubt as to the reasons set out by the petitioner for seeking interim bail but considering the totality of the circumstances and the fact that the petitioner has been in custody since 29.11.2017, this Court considers it apposite to grant interim bail for a period of six weeks from the date of his release.

6. The petitioner shall be released on interim bail on his furnishing a personal bond in the sum of ₹50,000/- with two sureties of the equivalent

amount to the satisfaction of the Trial Court. The petitioner shall proceed directly to Sarvodaya Hospital and remain there during the period he is on bail. He shall surrender on or before the completion of the aforesaid period of bail. The beat staff of the concerned SHO shall also visit the hospital in question periodically to ascertain whether the petitioner has been complying with the said conditions.

7. The petition is disposed of in the aforesaid directions.
8. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

JANUARY 20, 2020

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