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

+ **BAIL APPLN. 712/2020**

SURAJ

..... Petitioner

Through Mr Hemant Gulati, Mr Ghanshyam
Kaushik, Advocates.

versus

STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **20.03.2020**

1. The petitioner has filed the present petition seeking bail in connection with FIR No. 526/2019 under Sections 302/323/34 of the IPC and Sections 25/27 of the Arms Act, 1959 registered with PS Jahangir Puri.
2. It is alleged that the petitioner had shot his brother (Jawala Singh @ Pappu) and the weapon had been recovered from his possession. The petitioner seeks interim bail to attend to his wife as it is stated that she is scheduled to undergo a surgical procedure on 25.03.2020.
3. The status report has been filed, which indicates that the petitioner's wife is living with her mother-in-law in a joint family. She has three brothers and two sisters. Her brothers also reside in Delhi and there are sufficient family members to take care of her. It is also submitted that the surgery is for the removal of a cyst in her uterus and is not a complicated procedure. The petitioner's wife is under the care of Dr Kameshwari Mehta, who has stated that the petitioner's wife is to be admitted to Chawla Nursing Home for surgery.

4. The allegations against the petitioner are serious. It is also reported that the family of the complainant lives in the same neighbourhood as the petitioner and there is a serious apprehension of breach of peace. It is also apprehended that the petitioner shall jump bail, if it is granted. None of the aforesaid apprehensions can be stated to be unfounded.
5. In view of the above, this Court considers it apposite to grant custody parole to the petitioner to meet his wife on the date of the surgery. The petitioner shall be taken in custody to Chawla Nursing Home on 25.03.2020 for a period of six hours (from 9.00 a.m. to 3.00 p.m.).
6. The petition is disposed of with the aforesaid directions.
7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

MARCH 20, 2020

pkv