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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLICATION 778/2020 & CRL.M.A.5821-22/2020**

ARVIND YADAV

..... Applicant

Through: Mr. Devashish Chauhan, Mr. Trideep
Pais and Mr. Shashwat Dhyani,
Advocates. (M:813044444 &
8800139793)

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through: Ms. Meenakshi Chauhan, APP for
State.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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22.04.2020

1. This hearing has been held by video conferencing.
2. The Applicant has been accused of offences under the Narcotics Drugs and Psychotropic Substances Act, 1985 (*hereinafter 'NDPS Act'*) and was arrested on 14th March, 2019. He has since then been in custody. He, through his wife, has filed the present application seeking interim bail for a period of 45 days.
3. Bail has been sought on the ground that the Applicant's family consists of his wife and 16 year old son. It is pleaded that the Applicant's wife is suffering from acute depression and despite being of a young age, she is also suffering from acute osteoporosis.
4. Mr. Trideep Pais, Id. counsel appearing for the Applicant has taken this Court through the medical records from the psychiatric centres, which are dated January, 2020. It is also submitted that the son of the Applicant is

studying in the 12th standard in Delhi Public School, R.K. Puram and his exams have also not yet concluded.

5. Further ground on which bail is sought is that due to the coronavirus lock-down, the Applicant's family is unable to operate the bank accounts which are standing in the name of the Applicant and they are unable to move out of the house as well.

6. The matter was first listed on 20th April, 2020, on which date, Ms. Meenakshi Chauhan, Id. counsel appearing for the State had sought time to verify the records and also make her submissions.

7. A status report has been filed by the Respondent and the medical records are not seriously disputed before this Court. Id. counsel for the Respondent submits that the Applicant himself had visited the OPD in the Jail in April, 2020 and was found to have some minor ailments. He was treated for the same. She submits that the offences being under the NDPS Act, no bail ought to be granted to the Applicant.

8. This Court has considered the medical records which have been filed by the Applicant as also the submissions of the Petitioner and the Respondent. The following circumstances have also been considered by the Court:

- i. The lockdown has created an exceptional situation for various individuals, including the Applicant's family and the submission of the Applicant that operating of the bank account has proved to be difficult;
- ii. That the Applicant's son is in the 12th standard and some steps would need to be taken towards his further studies, etc.,
- iii. Medical condition of the wife whose medical records are not disputed;

- iv. The Applicant had been given interim bail on two occasions earlier vide orders dated 12th December, 2019 and 23rd December, 2019. On both those occasions, the bail was for a period of a ten days to two weeks and the Applicant had duly surrendered as per the said orders.
- v. This Court is also of the opinion that the Applicant does not pose a flight risk, owing to his past conduct.

Keeping in view the fact and circumstances of this case, interim bail is granted to the Applicant upto 10th May, 2020 subject to furnishing a bond of Rs.1 lakh along with surety for the said amount. The Applicant shall stand restrained from leaving the country and shall also not influence any witness or hamper the investigation in any manner. The Applicant shall surrender before the Jail Superintendent on 11th May, 2020.

9. The application seeking interim bail is disposed of in the above terms. All pending applications also stand disposed of. *Dasti.*

PRATHIBA M. SINGH, J.

APRIL 22, 2020

Rahul/dj/rg