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

+ **BAIL APPLN.877/2020, CRL.M.A. 6256/2020**

AMIT alias VICKY

..... Petitioner

Through: Mr.Girish Chander, Advocate

versus

STATE

..... Respondent

Through: Ms.Meenakshi Dahiya, APP

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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12.05.2020

Crl. M.A. No. 6256/2020 (Exemption)

Allowed subject to all just exceptions.

BAIL APPLN.877/2020

1. This application has been moved seeking interim bail for 45 days in FIR No.147/2019, under Sections 302 of the IPC and 25/27/54 of the Arms Act, registered at Police Station Jaffarpur Kalan, Delhi.
2. Issue notice.
3. Learned APP for the respondent/State accepts notice.
4. Learned counsel for the applicant Sh. Girish Chander submits that the need for interim bail has arisen on account of the hospitalization of the applicant's wife, who needs to undergo a surgery urgently and that the same could not be undertaken during her earlier hospitalization from 01.05.2020 to 07.05.2020 due to the fact that she got herself discharged against medical

advice to take care of her two minor children aged seven years and one year.

5. The Status Report that was filed before the Duty ASJ has been annexed with the petition as Annexure 'B', which confirms the fact that the wife of the petitioner had been admitted on 01.05.2020 with the opinion of the doctor as *"Complaint of Pain abdomen with Nausia, vomiting. U.S.G. Report Slugh with Cholieciecistitis (GB) Pt. Needs (Labocolic Operation) or (chlecystis to my to GH. Pt needs for care of Post operation or during operation formal care in my view pt needs one care person."* (sic)

6. Though it is also contended by the Ld.APP for the State that a fresh Status Report is required to ascertain the correct position as on date, this Court considers such a Status Report unnecessary in view of the fact that the application is one for interim bail. In view of the medical requirements of the wife of the applicant, the present application is allowed and the applicant is granted interim bail for a period of 45 days, i.e. upto 25.06.2020, subject to his furnishing a personal bond and surety bond in the sum of Rs.30,000/- each to the satisfaction of the Jail Superintendent and the I.O./SHO concerned respectively, and subject to the following further conditions: -

(i) The applicant will not make any effort to talk to the witnesses or interfere, directly or indirectly, with the trial or tamper with the evidence.

(ii) The applicant will furnish his mobile phone/landline number and residential address as well as that of his surety to the I.O./SHO concerned and both shall keep their mobile/landline phones operational at all times during this period and in the event

of any change of the same, will immediately inform the same to the I.O./SHO.

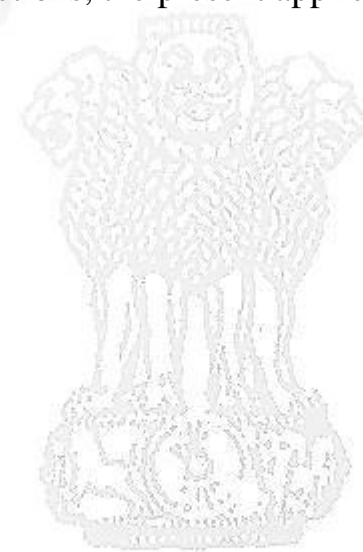
(iii) The petitioner nor will not leave the jurisdiction of the Delhi courts, even if the lockdown is eased, without specific permission from the Trial Court/Duty MM.

7. The applicant will surrender before the Jail Superintendent, Tihar Jail on 26.06.2020.

8. With the above directions, the present application is disposed of.

MAY 12, 2020
Sm/s

ASHA MENON, J



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