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

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Judgment delivered on: 04.06.2020

+ BAIL APPL.951/2020

PIRTHI SINGH

.....Petitioner

versus

STATE OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Gaurav Kochar, Advocate.

For the Respondent: Mr. Tarang Srivastava, APP for the State with
Insp. Surender Kumar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner seeks interim bail for a period of 2 months in FIR No.428/2011 under Sections 302/120-B/34 IPC, Police Station New Usmanpur on medical grounds.
3. Learned counsel for the petitioner submits that the alleged incident is of the year 2011 and the petitioner has been implicated mainly on the statement of one approver. He submits that there is no material to corroborate the presence of the petitioner at the spot or to

connection with the subject incident. He, however, without prejudice, submits that the petitioner is aged 61 years and is a known case of hypertension and coronary artery disease and as per his medication examination also suffers from heart ailment. He submits that in view of the present prevailing situation of Covid-19 pandemic, he is a high risk individual and prays that he may be granted interim bail for a period of 2 months for taking appropriate medical treatment privately so that his condition can improve.

4. It is noticed that the medical report submitted by the Medical Officer In-charge shows that the petitioner is a known case of hypertension and coronary artery disease. He was examined at GTB Hospital where he was advised for Cardiology opinion from Rajiv Gandhi Super Speciality Hospital. The medical opinion of Rajiv Gandhi Super Speciality Hospital is that he suffers from Mild Left Ventricular Hypertrophy. He has been advised medication for his medical condition. However, it is noticed that despite medication, his blood pressure was 166/90 on 23.05.2020, when he was examined for the purposes of submission of the report.

5. Without commenting on the merits of the case and keeping in view of the medical condition of the petitioner, I am of the view that the petitioner has made out a case for grant of interim bail on medical ground for a period of 4 weeks.

6. Accordingly, on petitioner furnishing a bail bond in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the concerned Superintendent, Jail, petitioner shall be released on interim bail for a period of 4 weeks from the date of his release.

7. Petitioner shall not go outside the National Capital Territory of Delhi and in case he is required to go outside the National Capital Territory of Delhi for any medical requirement, he shall duly intimate the Investigating Officer prior to leaving Delhi. Petitioner shall surrender his passport, if any, to the Investigating Officer. Petitioner shall also intimate to the Investigating Officer his as well as his surety's mobile number, which shall be kept active during this period. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall surrender to the concerned Superintendent, Jail on expiry of the period of 4 weeks from the date of his release.

8. Petition is, accordingly, disposed of in the above terms.

9. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email.

JUNE 04, 2020
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SANJEEV SACHDEVA, J