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

+ **BAIL APPLN. 952/2020**

SATENDER ALIAS CHOTU

..... PETITIONER

Through **Mr. Sunil Tiwari, Advocate**

versus

THE STATE (NCT OF DELHI)

..... RESPONDENT

Through **Ms. Kusum Dhalla, APP**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

26.05.2020

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Hearing has been conducted through Video Conferencing.

Present application has been filed by the Petitioner under Section 439 Cr.PC read with Section 482 Cr. PC seeking interim bail for a period of three months in respect of FIR No.0288/2019, under Sections 15/25/29 of the NDPS Act, 1985, PS Swaroop Nagar.

The main ground raised in the application seeking grant of interim bail is that the minor child of the petitioner, who is aged, one and a half years, is suffering from chest and abdominal infection. It is stated in the application that the infant was admitted in Kapil Multiplex City Nursing Home for two weeks and condition of the child is critical.

Status Report has been filed by the State. The factum of the illness of the infant has been confirmed. Ms. Kusum Dhalla, learned APP submits that though the infant has been discharged from the Hospital but is still suffering from upper respiratory tract infection.

I have heard the learned counsel for the Petitioner as well as learned APP and have perused the medical records.

In view of the facts and circumstances of the case, Petitioner is admitted to interim bail for a period of four weeks from the date of his being released from jail, on furnishing a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Jail Superintendent.

In view of the COVID-19 pandemic, Resolution dated 07.04.2020 of the “High Powered Committee” and the consequent order dated 09.04.2020 passed by Division Bench of this Court in W.P. (Crl.) 779/2020 titled as “Court of its own Motion v. State”, the requirement of furnishing a Surety Bond is dispensed with. However, the grant of interim bail to the Petitioner is subject to the following conditions :-

- (i) The Petitioner shall not leave the jurisdiction of NCT of Delhi without prior intimation to the concerned SHO/I.O.
- (ii) The Petitioner shall not get in touch, directly or indirectly, with any of the prosecution witnesses or hamper investigation in any manner.
- (iii) The Petitioner shall also provide his mobile number to the concerned SHO / IO and shall keep his mobile phone operational all the time. He shall also communicate with the concerned SHO/IO telephonically every Monday and Thursday between 10.00 a.m. – 10.30 a.m.
- (iv) The Petitioner shall ‘drop-a-pin’ on the Google Maps so that the SHO/I.O. can verify the presence and location.
- (v). Petitioner shall surrender on the date of expiry of his interim bail before the concerned Jail Superintendent.

Application is disposed of in the above terms.

A copy of the order be communicated to the concerned Jail Superintendent for information and necessary action. A copy of this order will be uploaded on the Website of Delhi High Court.

JYOTI SINGH, J

MAY 26, 2020

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