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

+ BAIL APPLN. 969/2020

ABHISHEK ALIAS BHOLA

..... Petitioner

Through Mr. Dharmendra Kumar, Advocate

Versus

STATE (GNCTD)

..... Respondent

Through Mr. Izhar Ahmad, Advocate

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

03.06.2020

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Hearing has been conducted through Video Conferencing.

Present Bail application has been filed by the applicant under Section 439 Cr. PC for grant of interim bail for a period of 45 days with respect to FIR no.181/2018, under Sections 307/34 IPC read with Section 27 of the Arms Act, PS Ambedkar Nagar.

Learned counsel for the applicant submits that the mother of the applicant is suffering from Jaundice since 12.05.2020. The Medical Certificate dated 12.05.2020 issued by Bhagat Clinic & Hospital, has been placed on record. Learned Counsel for the applicant submits that the applicant has two siblings. Both his sisters are married, one lives in Faridabad and the other lives in Tigri, Delhi. It is submitted that the relationship between the applicant and his sisters and their husbands are strained and have worsened since the arrest of the applicant. The mother of the applicant has been advised bed rest for a period of one month. There is

nobody other than the applicant to take care of her in the house, as the sisters have refused to attend to their mother.

Status Report was filed on 27.05.2020. Factum of illness of the mother has been verified and found to be genuine. On the last date of hearing, learned APP had sought time to confirm if the illness of the mother still continues. Fresh Status Report has been filed on 01.06.2020. Medical Certificate dated 01.06.2020 has also been annexed alongwith the Status Report. The authenticity of the Medical Certificate has been verified by the concerned IO. It has been verified by the IO that the mother of the applicant continues to suffer from Jaundice and has been advised further one month bed rest and treatment.

Bail is opposed on the ground that the two sisters of the applicant are in a position to look after the mother of the applicant, more particularly, the sister who lives in the adjoining locality. Learned APP also points out that there are other FIRs also registered against the applicant but does not dispute that the applicant is on bail with respect to the other FIRs.

I have heard the leaned counsel for the applicant as well as learned APP.

In view of the facts and circumstances of the case, the applicant is admitted to interim bail for a period of forty five (45) days from the date of his being released from jail, on furnishing a personal bond in the sum of Rs.20,000/- 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 applicant is subject to the following conditions :-

- (i) The applicant shall not leave the jurisdiction of NCT of Delhi without prior permission of the concerned SHO/I.O.
- (ii) The applicant shall not get in touch with or extend any threats to the prosecution witnesses, directly or indirectly, till such time he is on bail.
- (iii) The applicant shall also provide his mobile number to the concerned SHO / IO and shall keep his mobile phone operational at all times. 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 applicant shall “drop-a-pin” on the Google Maps so that the SHO/I.O. can verify the presence and location.
- (v). The applicant 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

JUNE03, 2020/yg/