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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 967/2020**

ABHISHEK SAMUEL Applicant
Through: Mr. M.P. Sinha, Advocate

versus

STATE (GOVT. OF NCT OF DELHI) Respondent
Through: Mr. Izhar Ahmad, APP

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
% **28.05.2020**

Hearing has been conducted through Video Conferencing.

Present application has been filed under Section 439 Cr.P.C. for grant of Interim Bail for 45 days pursuant to an FIR No. 135/2018 registered at Police Station Neb Sarai for offences punishable under Sections 354/354D/328/342/366/376 IPC, Sections 6/10/17 of Protection of Children from Sexual Offences Act, 2012 and Sections 75/79 of the Juvenile Justice (Care & Protection of Children) Act, 2015.

Learned counsel for the Applicant submits that the Applicant is in custody since 31.03.2018 and has been falsely implicated. He further submits that the Applicant's mother is suffering from Osteoarthritis and needs to undergo Knee Replacement Surgery. There is nobody in the family to look after her or take her for the treatment and Surgery. Brother of the Applicant very rarely visits her and does not take care of her.

Status Report has been filed. The medical condition of the mother has been verified. It is stated in the Status Report that the mother has been suffering from Osteoarthritis since the year 2008. Recent Medical Record (MRI) does indicate that she is suffering from degenerative Osteoarthritis of right knee and may need surgical intervention, but so far the date of surgery has not been fixed. Bail is opposed on the ground that the allegations against the Applicant are that he had physical relations with his employee on the pretext of marrying her and took obscene photographs as well. It is further stated that Applicant has an elder brother, who is in a position to look after the mother. Charge is yet to be framed.

I have seen the Status Report and heard the learned counsels. Since the date of Surgery is not fixed as yet, no ground for grant of Interim Bail is made out, at this stage.

Application is dismissed.

JYOTI SINGH, J

MAY 28, 2020

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