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

+ **BAIL APPLN. 999/2020 & CRL.M.A. 6774/2020**

AFZAL AHMAD @ CHOTE Petitioner
Through: Mr Manish Kumar Singh, Advocate.

versus

THE STATE (GNCT OF DELHI) Respondent
Through: Mr Amit Gupta, APP for State.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **28.05.2020**

[Hearing held through video conferencing]

1. The petitioner has filed the present petition seeking interim bail for a period of two months on compassionate grounds. The petitioner is currently in custody pursuant to FIR No.0037/2019 under Section 302/120B/34 of the IPC registered with PS Dayalpur. The petitioner states that his daughter had witnessed riots that had broken out in Delhi a few months ago and has suffered a psychological trauma. He stated that she was being treated at the Institute of Human Behaviour & Allied Sciences (IHBAS) and requires further treatment.
2. A status report has been filed, which indicates that the petitioner was named as one of the assailants who had fired on the deceased. Mr Gupta, learned APP points out that the complainant, who was travelling with the deceased at the material time had specifically named the petitioner.

3. Insofar as the treatment of the petitioner's daughter is concerned, it has been verified that she was being treated at IHBAS. It is further stated that she had reported at the Crisis Support Counselling Centre on 29.02.2020 and was advised to attend OPD on 16.03.2020, for further management. She had visited the IHBAS on 16.03.2020 and she was then advised to visit again on 23.03.2020. However, she has been unable to do so on account of the lockdown.

4. It is not disputed that the petitioner was released on interim bail on four occasions and there is no allegation that he had misused his liberty.

5. Although, a chargesheet was filed in June, 2019 but the charges have not been framed as yet.

6. Considering the above, this Court considers it apposite to allow the present petition. The petitioner shall be released on interim bail for a period of four weeks from the date of his release on his furnishing a Personal Bond in the sum of ₹ 10,000/- to the satisfaction of the Jail Superintendent. This is also subject to the following further conditions:-

- a) That the petitioner shall attend all proceedings before the trial court including the one that is now fixed on 05.06.2020;
- b) That the petitioner shall provide a contact number and ensure that he is reachable on it at all times;
- c) That the petitioner shall not leave the National Capital Territory of Delhi; and
- d) That the petitioner shall surrender on or before the expiry of the aforesaid period of four weeks.

7. The petition is allowed in the aforesaid terms.
8. A copy of this order be electronically communicated to the jail authorities.

VIBHU BAKHRU, J

MAY 28, 2020
MK