

\$~8

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 1113/2020**

**NAVEEN KHATRI**

..... Applicant

Through: Mr. Rajiv Mohan, Mr. Swapnil  
Krishna, Advs.

versus

**STATE ( NCT OF DELHI)**

..... Respondent

Through: Mr. Ravi Nayak, APP for State with  
Insp. Rajesh Kumar, Special Cell.

**CORAM:**

**HON'BLE MS. JUSTICE ANU MALHOTRA**

**ORDER**

% **09.06.2020**

The status report dated 08.06.2020 has been submitted on behalf of the State which indicates that the medical documents that had been put forth on behalf of the applicant qua the ailment of his wife are correct and that her surgery has been advanced to 12.06.2020 in view of fever. As per the report dated 05.06.2020 of the Department of General Surgery, Fortis Flt. Lt. Rajan Dhall Hospital, Vasant Kunj, New Delhi, the applicant's wife is stated to have continuous pain in the abdomen with nausea and thus requires surgery on an emergency basis. The document from the said Fortis Hospital indicates that the procedure is major and requires 1-2 days of admission. There is however, a report dated 06.06.2020 of Dr. Hemanth Kumar of the said Fortis Hospital which states that the duration of the surgery is about 1-2 hours.

On behalf of the applicant it has been urged that there is no one in the family of the wife to look after her, which aspect is vehemently opposed on

behalf of the State submitting to the effect that the mother of the applicant's wife is living with her and that there are other family members i.e. the brother of the applicant also available who resides in Paschim Vihar whose address has not been given by the applicant's mother.

It is submitted on behalf of the State that the applicant is involved in 8 criminal cases and that he is also involved in the alleged commission of offence punishable under the MCOCA, 1999 and in terms of the status report that has been submitted there is a bar to the grant of bail for the alleged commission of offence punishable under MCOCA, 1999 in terms of Section 21(4) of the said enactment.

On behalf of the applicant, it has *inter alia* been submitted that of the various cases that had been registered against the applicant, he has been acquitted in 2 cases, one of the matters has been compromised and in all other cases, he is on bail inclusive of the grant of interim bail for a period of 30 days vide order dated 29.05.2020 in Bail Appln. 860/2020 by the learned trial Court whereby the applicant has been released on interim bail for a period of 30 days upon the verification of the medical document of his wife.

It appears that the previous bail application of the applicant seeking the grant of interim bail in relation to the FIR presently under consideration under Sections 3/4 of the MCOCA was disposed of vide another order dated 29.05.2020 by the learned trial Court observing to the effect that the wife of the applicant was not suffering from any life-threatening disease.

On a consideration of the submissions that have been made on behalf of either side and the verified factum of the ailment of the wife of the applicant, in the interest of justice, the applicant is allowed to be released on bail for a period of 7 days (seven days) from the date of his release on filing

a bail bond of Rs.50,000/- with one surety of the like amount to the satisfaction of the Superintendent Jail, Delhi with directions that he shall not make any contact with the complainant and the prosecution witnesses and shall not leave the city.

Furthermore, as prayed on behalf of the State, the applicant is directed to report to the SHO, PS Narela and also to Special Cell telephonically on each day of his interim release by 11 am and he is directed to keep his mobile phone on with his locations available at all times.

The petition is disposed of.

**ANU MALHOTRA, J**

**JUNE 09, 2020**

**vm**