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

+ BAIL APPLN. 1132/2020

REKHA @ RIYA Petitioner

Through Mr.F.K.Jha, Adv.

versus

GOVT. OF NCT OF DELHI Respondent

Through Mr.Mukesh Kumar, APP for State

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **16.07.2020**

1. This hearing is conducted through video-conferencing.
2. This bail application is filed under section 439 Cr.P.C. on behalf of the petitioner regarding FIR No.363/2019 registered under sections 302/452/34 IPC at P.S. Vikas Puri, Delhi.
3. At the outset, learned counsel for the petitioner submits that he confirms his relief to grant of interim bail on account of the current Covid-19 pandemic for a period of six weeks.
4. A status report has been filed by the respondent. As per the said status report, an FIR was registered on 26.08.2019. The accused attacked Riyaz and others after an initial fight. The complainant and Riyaz tried to stop them. The co-accused Shiv Kumar caught hold of Riyaz and Rahul attacked him by a knife. The knife is said to have been given to Rahul by the petitioner. Riyaz died due to the stabbing.
5. During the course of investigation, co-accused, namely, Shiv Kumar, Rekha(petitioner), Sarvesh, Rahul s/o Sarvesh and Rahul s/o Ved Prakash

have been arrested. Charge-sheet has been filed on 21.11.2019. The petitioner was arrested on 26.08.2019. It is stated that the petitioner has confessed to her crime.

6. The bail application states that the petitioner was deserted by her husband leaving behind two minor children. One of the minor sons is said to have been 13 years old and is born with a single kidney and is suffering from kidney infection. It has also been stated that charges have not yet been framed.

7. The nominal roll of the petitioner has also been filed. As per the said nominal roll, the petitioner is not involved in any other criminal case. Nominal roll however records the conduct of the petitioner as 'not good' as she is said to have been misbehaved with the Jail Staff and was warned for future.

8. However, relief has been confined to interim bail. Keeping in view the present Covid-19 pandemic and also the fact that the petitioner has two minor children, it would be in the interest of justice that she is granted interim bail for six weeks.

9. Accordingly, the petitioner is granted interim bail for a period of six weeks from the date of her release on her furnishing a personal bond for a sum of Rs.15,000/- with one surety of the like amount to the satisfaction of the Superintendent, Central Jail, Tihar/Duty Magistrate, subject to following conditions:

- (i) She will provide her current mobile phone number to the IO/SHO, P.S. Vikas Puri and will ensure that the phone number remains active.
- (ii) She will report every Monday at 11:00 a.m. to the IO/SHO, P.S.

Vikas Puri on mobile phone.

- (iii) She will not in any manner seek to tamper with the evidence or threaten or contact in any manner the prosecution witnesses.
- (iv) She will not leave the jurisdiction of the National Capital Territory of Delhi without prior permission of the concerned court.
- (v) She will duly surrender at the end of the suspension period.

10. A copy of this order be sent by the Registry by e-mail to the Jail Superintendent, Tihar for information and necessary compliance.

11. With the above directions, the petition is disposed of.

JAYANT NATH, J.

JULY 16, 2020/v