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

+ **BAIL APPLN. 1213/2020 & CRL.M.As.7525-26/2020**

SANJAY SHARMA

..... Petitioner

Through: Mr. Yusuf Khan, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Mukesh Kumar, APP.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **09.07.2020**

1. This hearing has been done by video conferencing.
2. The Petitioner seeks interim bail in this matter in FIR No. 0453/2018. The facts are that the Petitioner has been charged with committing offences under Sections 307/34 and Sections 25/27/54/59 of the Arms Act. Interim bail is sought on the ground that the Petitioner has a father who is more than 75 years of age and two minor daughters, one of whom is suffering from tuberculosis. The wife of the Petitioner has already expired.
3. Interim bail of 30 days was granted to the Petitioner vide order dated 15th May, 2020 by the Id. Sessions Judge. Thereafter, the Petitioner filed the present petition for regular bail. Vide order dated 11th June, 2020, this Court had extended the interim bail till 15th July, 2020. The status report has now been received along with the medical records, as per the last order.
4. Ld. counsel for the Petitioner prays for bail, on the ground that the status report confirms the medical records of the Petitioner's daughter. On the other hand, Mr. Mukesh Kumar, Id. APP submits that the Petitioner has been charged with a serious offence and the said fact should be borne in mind while considering the bail application.

5. A perusal of the status report shows that an altercation took place between the complainant, the accused-Petitioner and their families and that there was some enmity between the two families. It was only during the course of investigation that the case property weapon *desi katta* was also recovered from the Petitioner. The status report also confirms that the daughter of the Petitioner, who is 17 years of age is suffering from Tuberculosis and she is being treated from the Chest Clinic Bijwasan South Delhi Municipal Corporation since 12th May 2020. Under these circumstances, this Court is inclined to extend the bail of the Petitioner for a period of two months from the date of expiry of the bail, subject to the following conditions:

- i. The Petitioner shall give a live mobile number to the IO and keep in touch with the IO on a regular basis.
- ii. The Petitioner shall not contact any of the prosecution witnesses, whose evidence is yet to commence in the trial.
- iii. He shall not leave Delhi.
- iv. He shall also not contact anyone from the complainant's family or visit the area concerned, where the complainant resides.

6. The Petitioner shall surrender immediately upon the expiry of the bail period. Copy of the order be sent to the Jail Superintendent, Tihar Jail. The petition and all pending applications are disposed of in these terms. Ld. Counsel submits that the present petition be at this stage, restricted to grant of interim bail. Accordingly, the Petitioner's remedies for seeking regular bail are left open.

PRATHIBA M. SINGH, J.

JULY 09, 2020/dj/A