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

+ **BAIL APPLN. 1340/2020 & CRL.M.A.7929/2020**

PRASHANT KASANA

..... Petitioner

Through: Mr. Kanhaiya Singhal, Advocate.
(M:9212424765)

versus

STATE

..... Respondent

Through: Ms. Asha Tiwari, APP.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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19.06.2020

1. This hearing has been held through video conferencing.
2. The present petition has been filed by the Petitioner seeking interim bail. He has been charged for offences under Sections 302/304B/498A/201/34 IPC & Sections 25/27 of the Arms Act 1959. The Petitioner – Mr. Prashant Kasana was married to Ms. Shivani. She passed away on 11th September, 2019. The couple had a daughter before the wife passed away. The daughter is now 10 months old. The Petitioner was arrested on 12th September, 2019 on the complaint of the wife's parents. The Petitioner's daughter is now being looked after by her grand-parents i.e., the Petitioner's father and mother. Interim bail has been sought on the ground that the Petitioner's father is unwell and he has been hospitalized yesterday.
3. The Id. Sessions Judge, vide order dated 12th June, 2020, had refused bail. The said order records that there are two contradictory reports by the Investigating Officer i.e., report dated 30th May, 2020 and 9th June, 2020.

According to the latter report, in fact, reveals that the liver and kidney of the father of the Petitioner are not in good condition.

4. As of yesterday, Id. counsel for the Petitioner submits that the father of the Petitioner has been hospitalised in Garg Hospital, 8-9, AGCR Enclave, Opposite Karkardooma Courts, Delhi -110092, due to his ailments. In any event, this Court is of the opinion that the Petitioner's 10 month old daughter ought not to be deprived of the company of her father, especially when the grand-father and grand-mother are likely to be unable to take care of the child due to the grand-father's illness.

5. Under these circumstances, the Petitioner is granted interim bail for a period of 45 days from the date of his release, subject to furnishing a personal bond in the sum of Rs.10,000/- to the satisfaction of the Jail Superintendent, Jail No.12, Mandoli Jail, Delhi. The Petitioner shall not leave Delhi. He shall also provide his active mobile number to the Investigating Officer and shall hold a video call with the Investigating Officer every alternate day. The Petitioner shall surrender immediately after expiry of the bail period.

6. In the meantime, Ms. Tiwari, Id. APP, shall verify the medical record of the Petitioner's father. In case of any doubt in respect thereof, the Respondent is permitted to approach this Court.

7. The present petition and all pending applications are, accordingly, disposed of.

PRATHIBA M. SINGH, J.

JUNE 19, 2020/dk/T