

\$~BAIL-4

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

+ **BAIL APPLN. 1377/2020**

KUMKUM JHA

....Petitioner

Through : Ms. Saloni Jain, Adv.

versus

STATE

....Respondent

Through : Mr. Ravi Nayak, APP with SI
Abhishek P.S. Amar Colony.
Mr. Nitin Gupta for complainant.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

08.07.2020

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[Court hearing convened *via* video-conferencing on account of COVID-19]

1. Pursuant to the last order i.e. order dated 23.06.2020, the nominal roll and the medical report of the petitioner have been placed on record.
2. The medical report of the petitioner is indicative of the fact that she is suffering from several medical complications which includes vasculitis with Sjögren's syndrome, hyperthyroidism and delusional disorder.
3. There is also a reference to the fact that the petitioner has suffered a stroke because of which there has been speech arrest.

4. In other words, it seems, *inter alia*, not only have the blood vessels of the petitioner thickened but that she also suffers from speech impairment. The fact that the petitioner is afflicted by a delusional disorder shows that she suffers from paranoia.

5. It is not in dispute that the husband of the petitioner is also in judicial custody. The petitioner, I am told, has been in judicial custody since 18.12.2018. The couple have two children i.e. a son aged 19 years and a daughter aged 21 years.

5.1 The petitioner along with her husband has been accused of having committed offences under Sections 420/467/468/471/120B of the IPC.

6. As a matter of fact, the husband's bail application [i.e. Crl. M. (Bail) No.7473/2020 in Bail App. No.337/2020] is also listed before me today as Item No. Bail-1 [i.e. Bail App. No.337/2020].

7. I intend to segregate, for the moment, the petitioner's bail application from her husband's bail application.

8. Insofar as the petitioner is concerned, in my view, she can be enlarged on bail having regard to her medical condition and given the fact that the report under Section 173 of the Cr.P.C. has already been filed, although, charges in the matter are yet to be framed.

9. Therefore, the captioned bail application is disposed of with the following directions:

(i) The petitioner will be released on interim bail for a period of three months commencing from the date of her release.

- (ii) The petitioner will furnish a personal bond of Rs. 10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/duty magistrate.
- (iii) The petitioner will establish telephonic contact, on everyday basis, with the Investigating Officer i.e. S.I. Abhishek, P.S. Amar Colony [Mob.No.9654276019].
- (iv) The petitioner will neither get in touch with the witnesses relating to the matter nor will she tamper with the evidence.
- (v) The petitioner will surrender before the concerned Jail Superintendent on expiry of the period of enlargement i.e. 3 months.
- (vi) The petitioner will not leave the National Capital Territory of Delhi without the permission of the concerned court.
- (vii) The petitioner will furnish her residential address to the Investigating Officer and, in case, she decides to shift from the same, information in that behalf will be given to the Investigating Officer.
10. The Registry will transmit the order passed today, *albeit*, electronically to the concerned Jail Superintendent.

RAJIV SHAKDHER, J

JULY 08, 2020
Aj/KK

Click here to check corrigendum, if any

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