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

+ BAIL APPLN. 1387/2020

MOHD. HAFIZ

..... Applicant

Through Mr. Kanhaiya Singhal, Advocate.

Versus

STATE NCT OF DELHI

..... Respondent

Through Ms. Meenakshi Chauhan, APP for the
State.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

02.07.2020

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Hearing has been conducted through Video Conferencing.

Present Petition has been filed under Section 439 of Cr.PC seeking Interim Bail for a period of 60 days in FIR No. 39/2016 registered at PS Special Cell (SB), under Sections 20/29 of the NDPS Act.

The ground set out in the Petition is that the wife of the Applicant has been diagnosed with Lumbar PID L4-L5 and has been advised complete bed rest.

Medical documents of wife of the Applicant have been placed on record.

It is averred in the petition that the Applicant has nuclear family and there is nobody else in the house to take care of his wife. Additionally, there is responsibility of four minor children aged about 12, 8, 6 and 4 years, on the wife of the Applicant.

Learned counsel for the Applicant also points out that the Applicant has been on Interim Bail on four earlier occasions, the last one being from 08.01.2019 to 22.02.2019 and submits that Applicant has never misused the liberty while on bail and surrendered on the expiry of the bail period.

Learned counsel submits that in the prevailing situation of Covid-19, wife of the Applicant having been advised bed rest, there is nobody to fend for the 4 minor children and take care of them.

Ms. Chauhan, learned APP for the State submits that as per the Nominal Roll jail conduct of the Applicant is not satisfactory. He has also been punished on 02.09.2019 for his jail conduct.

She further points out that another FIR No. 78/2016 is pending against the Applicant under Sections 332/353/186/34 IPC, PS New Friends Colony.

I have heard learned counsel for the Applicant and learned APP for the State.

Medical documents of the wife of the Applicant have been verified to be genuine. She has been advised bed rest. It has been also verified that the Applicant has 4 minor children and nobody in the house to take care of them.

Looking at the facts and circumstances, the Applicant is admitted to Interim Bail for a period of 6 weeks from the date of his being released from jail, on furnishing a Personal Bond in the sum of Rs.20,000/- alongwith Surety Bond of a like amount to the satisfaction of the concerned Jail Superintendent.

Bail is granted subject to the following conditions:-

- (i) The Applicant will not leave the jurisdiction of NCT of Delhi without prior intimation to the concerned SHO/I.O.

- (ii) The Applicant will furnish his mobile number to the Jail Superintendent and shall keep his mobile phone operational at all times. He shall contact the concerned SHO/IO on every Monday and Thursday between 10.00 a.m. – 10.30 a.m.
- (iii) The Applicant shall “drop-a-pin” on Google Map so that the SHO/I.O. can verify the presence and location.
- (iv) The Applicant shall surrender on the date of expiry of his Interim Bail before the concerned Jail Superintendent.

Application is disposed of in the above terms.

Copy of the order be communicated to the concerned Jail Superintendent for information and necessary action.

A copy of this order will be uploaded on the Website of Delhi High Court.

JYOTI SINGH, J

JULY 02, 2020/yo