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

+ **BAIL APPLN. 1400/2020**

KANTI BABU

....Petitioner

Through: Mr. Dalip Kumar Santoshi, Advocate.

versus

STATE

....Respondent

Through: Ms. Meenakshi Chauhan, APP for State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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17.07.2020

1. The hearing was conducted through video conferencing.
2. The petitioner seeks interim bail in case FIR No. 604/2017 registered under sections 354/354A/376 IPC and section 6 POCSO ACT at Police Station- Kalyan Puri, on account of the medical condition of his wife who was treated for body ache more than a month ago. It is stated that she continues to be ill and is having immense difficulty managing her household and four minor children, especially during this difficult time of the COVID-19 pandemic. The petitioner informs the court that evidence of the minor prosecutrix has been recorded and only official witnesses remain to be examined, apropos whom the petitioner can have no sway. The petitioner otherwise has deep roots in society. He has a wife and four minor children to take care of. His address has been verified. The aforesaid facts are not controverted.
3. In the circumstances, the petitioner is granted interim bail for a period of 45 days from the date of his release, on his furnishing a Personal

Bond in the sum of Rs. 15,000/- with a surety of the like amount to the satisfaction of the Duty MM/Jail Superintendent concerned. The bail is granted subject to the following conditions:

- i. The petitioner shall keep the SHO/IO concerned informed of his whereabouts on alternate days between 11 a.m. and 11.30 a.m. or between 5 p.m. and 6 p.m. through mobile/telephone by making a video call and if a video call is not possible, he may send SMS apropos his whereabouts, as well as “drop-a-pin” on location app to indicate his location. The IO’s mobile/telephone number shall be provided to the petitioner through counsel.
 - ii. The petitioner shall provide his contact number to the IO/SHO concerned and shall ensure that such number is reachable at all times.
 - iii. The petitioner shall not leave the territory of NCT of Delhi.
 - iv. The petitioner shall not contact complainant(s) in any manner and shall not do anything which could prejudice the case of the prosecution.
4. The application is disposed-off in terms of the above.
 5. Nothing stated in this order shall be deemed to be an adjudication on the merits of the case. The Registry is directed to send/e-mail a copy of this order to the Jail Superintendent concerned for due compliance.
 6. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through e-mail.

NAJMI WAZIRI, J

JULY 17, 2020/RW