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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 1431/2020**

HAZI ISRAR

..... Petitioner

Through: Mr. Puneet Mittal, Sr. Advocate with  
Mr. Rupendra Pratap Singh, Ms.  
Vasudha Bajaj and Mr. Abhiesumat  
Gupta, Advocates.

Versus

STATE

..... Respondent

Through: Ms. Radhika Kolluru, APP for State  
with Insp. Surender, P.S. Crime  
Branch.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**(VIA VIDEO CONFERENCING)**

**ORDER**

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**17.07.2020**

1. The present application has been filed under Section 439 read with Section 482 Cr.P.C. seeking interim bail in FIR No. 747/2018 under Sections 302/201/34 IPC and Section 25 of the Arms Act registered at P.S. Seema Puri (Transferred to Crime Branch) on the ground of ailment of the petitioner as well as his wife.
2. Mr. Puneet Mittal, learned Senior Counsel for the petitioner submits that the petitioner is in custody since 30.09.2019 and is not involved in any other case. He has referred to the medical Status Report of the petitioner dated 02.07.2020 which has been forwarded by the concerned Jail Superintendent. As per the medical Status Report, the petitioner is a known case of *Diabetes Mellitus, Hypertension, Breathlessness and Mild*

*Hypertensive Retinopathy*. As per the medical status report, the petitioner has been reviewed in various hospitals and has been prescribed medications for diabetics, hypertension and inhaler for breathlessness. It is further stated that the petitioner has constantly complained of *dyspnoea (breathlessness)* on exertion.

3. Learned Senior Counsel for the petitioner has also referred to the medical documents with respect to the petitioner's wife to submit that she is required to undergo *hysterectomy*, for which date of surgery has been fixed for 27.07.2020.

4. Ms. Radhika Kolluru, learned APP for the State, on the other hand, has opposed the grant of interim bail. She submits that the petitioner is an influential person. She further submits that statements of the father and brother of the deceased have been recorded and they have stated that in December, 2018, the father-in-law of the petitioner had sought to influence them. The statements dated 01.12.2019 have been placed on record. She, on instructions, confirms that the petitioner is not involved in any other case.

5. At this stage, Mr. Mittal submits that both the brothers and father of the deceased are residents of Palwal, Haryana and Bulandshahr, U.P. and the petitioner undertakes not to visit the aforesaid places in case he is admitted to interim bail. He further states that the above alleged incident is prior to petitioner's arrest.

6. In view of the fact that the petitioner's wife is to undergo surgery which is scheduled for 27.07.2020, the petitioner is admitted to interim bail for a period of four days only from 25.07.2020, subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent/Duty M.M. and subject to

further following conditions :-

1. The petitioner shall be released from the jail on 25.07.2020.
2. The petitioner shall keep his mobile phone number i.e. 9818169265 operational during the period of his interim bail and shall remain in touch with Insp. Surrender, Crime Branch on his mobile phone number 7011713139 everyday during the period of the interim release.
3. The petitioner shall not try to get in touch with any of the prosecution witness or tamper with the evidence and shall not visit the places where any of the witnesses reside and shall also not enter the jurisdiction of P.S. Seema Puri.
4. The petitioner shall not leave the NCT of Delhi.
5. The petitioner shall reside at D-29, Gali No. 7, Old Mustafabad, New Delhi – 110094 during the period of his interim bail.
6. In case the surgery of the petitioner's wife is not performed on 27.07.2020, the petitioner shall surrender before the Jail Superintendent on the said date itself.
7. In case the petitioner's wife undergoes surgery, the petitioner shall surrender before the concerned Jail Superintendent after expiry of the interim bail period.
7. The application is disposed of in the above terms.
8. A copy of this order be communicated electronically to the concerned Jail Superintendent.

**MANOJ KUMAR OHRI, J**

**JULY 17, 2020**

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