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

+ BAIL APPLN. 1582/2020

SONU SHARMA

..... APPLICANT

Through Mr. Hemant Gulati, Advocate

versus

STATE, NCT OF DELHI

..... RESPONDENT

Through

Mr. Ravi Nayak, APP for State with
SI Phool Singh, Special Staff, South
East District.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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09.07.2020

Hearing has been conducted through Video Conferencing.

This is an Application under Section 439 Cr.P.C., filed on behalf of the Applicant for extension of Interim Bail granted to the Applicant vide Order dated 26.05.2020, in Bail Application No.977/2020 in FIR No.67/2019 under Section 20 of NDPS Act, P.S. New Friends Colony. The ground for seeking extension of Bail is that the surgery of the wife of the Applicant, which was earlier fixed for 27.05.2020, has now been scheduled for 14.07.2020.

Mr. Nayak, learned Additional Public Prosecutor submits that Status Report has been filed. The same is however not on record. Let Registry place the Status Report on record. A copy of the Report had been shared with the learned counsel for the Applicant and a copy has been received via email by the Court Master.

It is stated in the Status Report that necessary verification was carried out from the concerned Hospital i.e., Shivain Multi Speciality Hospital Pvt. Ltd., A-135, Shalimar Garden Extension, near S M World Mall, Sahibabad, Ghaziabad, U.P. It is confirmed from the Hospital that surgery of the wife of the Applicant is fixed for 14.07.2020. Certificate of the Hospital is annexed alongwith the Status Report.

A perusal of the Certificate dated 07.07.2020 shows that surgery was initially planned on 27.05.2020, but on account of the wife of the Applicant suffering from acute viral hepatitis and cough, the surgery was postponed. Wife of the Applicant visited the Hospital again on 16.06.2020 and 26.06.2020, for follow-up in the OPD. Surgery is now fixed for 14.07.2020. It is further stated that it would take 4-5 days from the date of admission to discharge, from the Hospital.

Mr. Gulati, learned Counsel for Applicant, seeks extension of Bail for a period of three weeks from today.

Mr. Nayak, learned Additional Public Prosecutor, strongly opposes the extension of bail on the ground that even earlier Bail was sought on account of the surgery, but no efforts were made by the Applicant or his wife to ensure that the surgery takes place on the scheduled date.

Mr. Nayak, learned APP, further submits that Certificate of the Hospital itself indicates that the total time required from admission to discharge is only 4-5 days and therefore, Applicant does not require extension of Bail for three weeks.

I have heard learned Counsel for Applicant and learned APP for State.

Having perused the Certificate and considering the fact that there is no other male member in the family of the Applicant to take care of wife of

the Applicant post-surgery, Interim Bail granted to the Applicant is extended by a period of three weeks from today.

Extension of Interim Bail is granted on the same terms and conditions as mentioned in the Order dated 26.05.2020 with an additional condition that in case the Applicant changes his address, prior intimation shall be given to the SHO, Police Station New Friends Colony, New Delhi.

Application is disposed of in the aforesaid terms.

JYOTI SINGH, J

JULY 09, 2020

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