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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 1688/2020

ANIL GEHLOT

..... Petitioner

Through: Mr. Vivek Sood, Senior Advocate with
Mr. Sundeep Sehgal, Advocate

Versus

STATE OF GNCT OF DELHI

..... Respondent

Through: Ms. Radhika Kolluru, APP for State with
Inspector Ravi Shanker, P.S. Vasant Vihar
(Mobile No. 7065036221)

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

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19.08.2020

1. The present application has been filed on behalf of the petitioner seeking interim bail in FIR No. 148/2010, registered under Sections 302/201/120-B/34 IPC and Sections 25/27 Arms Act at Police Station Vasant Vihar, Delhi.
2. Learned Senior Counsel for the petitioner submits that the petitioner's wife is suffering from schizophrenia and suicidal tendencies. In this regard, he has referred to the medical documents of petitioner's wife issued by *Institute of Human Behaviour & Allied Sciences (IHBAS), Dilshad Garden, Delhi*. He has also referred to the opinion mentioned on prescription dated 27.05.2020, where it has been stated that the petitioner's wife is not to be left alone.

3. Learned Senior Counsel for the petitioner, on instructions, further submits that the petitioner has been in uninterrupted Judicial Custody since the year 2010 and so far out of 52 prosecution witnessess, 44 witnesses have been examined including all the material witnesses. Further, eight out of ten accused persons have already been released on regular bail.

4. Learned Senior Counsel, on instructions, also submits that the petitioner will not seek extension of interim bail and during the period of his interim release, will stay at the address as mentioned in the memo of parties.

5. Learned APP for the State submits that the appellant is found involved in 16 other cases however, the updated status of these cases could not be confirmed because of the COVID-19 pandemic. She has also referred to the Nominal Roll where petitioner is stated to have been involved in six cases and he is stated to have been convicted in the seventh case being FIR No. 783/2001 under Section 25 AA, P.S. Uttam Nagar. The petitioner's wife is stated to be living along with her mother-in-law, aged 64 years and three children out of whom, two are minor and the third is her 20 year old daughter.

6. At this stage, learned Senior Counsel for the petitioner while referring to the additional documents placed on record has stated that Sl. Nos. 3, 4, & 5 mentioned in the Nominal Roll pertaining to offence under Section 302 IPC are in fact one & the same case and the petitioner is on bail in the aforesaid case.

7. Ld APP, on instructions, confirms the above statement made on behalf of the petitioner and has also placed on record an additional Status Report in this regard.

8. Along with the Status Report, a communication dated 21.07.2020 received from *IBHAS* has been placed on the record, where it has been stated that the petitioner's wife was examined in the Psychiatory emergency at *IBHAS* and was prescribed oral medications and was put on oral antidepressants. It has been also mentioned that the patient i.e., the petitioner's wife is not to be left alone. The medical documents are verified to be correct.

9. In view of the facts and circumstances of the case and the fact that the medical documents of the petitioner's wife have been verified and that the petitioner has been incarcerated since 2010, the petitioner is admitted to interim bail only for a period of 2 weeks from the date of his release, on his furnishing a personal bond in the sum of 1,00,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/Duty MM and subject to further the following conditions:-

- (i) The petitioner shall not get in touch with the prosecution witnesses directly or indirectly and shall not make any effort to tamper with the evidence.
- (ii) The petitioner shall remain available on his mobile number i.e., 9911113392 which he undertakes to keep operational during the period of his interim bail.
- (iii) The petitioner shall report to the concerned IO/SHO, Police Station Vasant Vihar, Delhi on every alternate day at 10:00 a.m. during the period of his interim bail.
- (iv) The petitioner shall not leave the NCT of Delhi during the period of his interim bail.

- (v) The petitioner shall surrender at the expiry of his interim bail before the concerned Jail Superintendent.

10. With the above directions, the bail application is disposed of.

11. A copy of this order be communicated to the concerned Jail Superintendent.

MANOJ KUMAR OHRI, J

AUGUST 19, 2020

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