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

+ **BAIL APPLN. 1723/2020**

SURJEET

..... Petitioner

Through: Mr. Santosh Singh, Advocate.

versus

THE STATE (GOVT. OF NCT DELHI)

...Respondents

Through: Mr. G.M. Farooqui, APP for State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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31.07.2020

1. The hearing was conducted through video conferencing.
2. As per this Court's order dated 29.07.2020, an explanation was to be tendered by the Jail Superintendent concerned. The same has not been filed. Let it be brought on record with further explanation apropos the lapse on his part.
3. The petitioner seeks interim bail. He is an under trial prisoner in the case FIR No. 586/2018 registered under sections 392, 394, 395, 397, 459, 412, and 34 IPC at Police Station-Mukherjee Nagar. He suffers from medical conditions such as diabetes mellitus type2 and bronchial asthma. The medical status/report reveals as per last test conducted- "high random Blood sugar level (2876mg/dl- 414mg/dl)". His medicines have been changed in the past but he is stated to have not been responding to the same. He seeks treatment from a private hospital outside the jail. He has been in custody since October 2018

and his conduct in jail is stated to be satisfactory. His address in Delhi has been verified. He has no criminal antecedents apart from the present case. He has deep roots in the society. Evidence of private parties has already been recorded and the petitioner cannot possibly influence the remaining official witnesses who are policemen.

4. The learned counsel for the petitioner also places reliance upon the guidelines issued by the High Powered Committee for grant of interim bail to under trial prisoners.
5. In view of the above, 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. 25,000/- 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 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.

6. The application stands disposed-off in terms of the above.
7. Nothing stated in this order shall be deemed to be an adjudication on the merits of the case. The Registry is directed to e-mail a copy of this order to the Jail Superintendent concerned for due compliance.
8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JULY 31, 2020

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