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

+ **BAIL APPLN. 1704/2020**

ARVIND SHAKYA THROUGH PAROKAR Petitioner

Through: Mr Khan Zulfiqar Khan, Advocate
and Mr Deepak Kumar Mishra,
Advocates.

versus

THE STATE NCT OF DELHI Respondent

Through: Mr Amit Gupta, APP for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **23.07.2020**

[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, praying that he be released on interim bail in connection with FIR No.0171/2020 under Section 376 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 registered with PS Sagarpur.
2. The petitioner claims that he is suffering from various ailments and his medical condition is dismal.
3. The jail authorities have submitted a report regarding the medical status of the petitioner and the same indicates that the petitioner has a history of bronchial asthma with complaints of dyspnoea on exertion. The status report also indicates that the petitioner had suffered tuberculosis a few years ago.

4. Further, on a complaint of breathlessness and palpitation on 15.06.2020, the petitioner was referred to the DDU Hospital after providing treatment at the jail. He was admitted in CCU at DDU hospital. He was diagnosed of old koch's with hypertension and bronchial asthma and was accordingly treated. He was discharged from the hospital on 23.06.2020 after improvement of his symptoms. Even after his discharge, the petitioner has been complaining of breathing difficulty and chest pain and has been treated by the jail dispensary.

5. This Court is informed that the family of the complainant is no longer residing in the same premises owned by the petitioner.

6. In view of the medical report of the petitioner, this Court considers it apposite to allow the present petition. The petitioner is directed to be released on interim bail till 31.08.2020 on his furnishing a Personal Bond in the sum of ₹10,000/- and one surety of an equivalent amount to the satisfaction of the Jail Superintendent. This is also subject to the following further conditions:-

- a) the petitioner shall not contact the victim or the complainant's family either directly or indirectly;
- b) the petitioner shall contact the SHO of PS Sagarpur electronically on Monday of each calendar week and disclose his whereabouts; and
- c) the petitioner shall not leave the National Capital Territory of Delhi.

7. The petition is allowed in the aforesaid terms.

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

VIBHU BAKHRU, J

JULY 23, 2020
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