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

+ BAIL APPL 1768/2020 and CRL. M.A. 9463/2020 (Exemption)

ZISHAN @ MAMMU Petitioner
Through: Mr.Kartickay Mathur, Advocate.

versus

STATE (NCT) OF DELHI Respondent
Through: Ms.Radhika Kolluru, APP for State.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

17.07.2020

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1. The present application has been filed on behalf of the petitioner seeking interim bail in FIR No.101/2017, registered under Sections 302/120-B/34 IPC and Sections 25/27 Arms Act at Police Station Preet Vihar, Delhi.
2. At the outset, Ms.Radhika Kolluru, learned APP for the State has taken an objection that the petitioner's interim bail has expired on 02.07.2020 and he has been staying outside since then, unauthorizedly, without seeking extension of the same.
3. Learned counsel for the petitioner submits that after the expiry of the interim bail of the petitioner on 02.07.2020, he moved an application before the Sessions Court on 26.06.2020 which came to be dismissed on 02.07.2020. Thereafter, another application was moved on behalf of the

petitioner which came to be dismissed on 10.07.2020.

4. Learned counsel for the petitioner has referred to the medical prescription of *Mairaj First Aid & Maternity Centre, Trilokpuri* stating that the petitioner was diagnosed with typhoid fever. Thereafter, another prescription dated 13.07.2020 of RML Hospital has been placed on record. As per the said prescription, the petitioner's SpO2 level is 98% and PR is 82 BPM. It is further stated that the petitioner's COVID-19 screening has been found to be negative.

5. I have heard learned counsel for the petitioner and also learned APP for the State and gone through the case records.

6. It is seen that the petitioner has been taking undue advantage of the interim bail concession granted to him and he has remained outside unauthorizedly instead of surrendering before the jail authorities at the expiry of the period of interim release.

7. In view of the aforesaid, I find no reason to extend the interim bail granted to the petitioner.

8. The application seeking interim bail to the petitioner is accordingly dismissed being devoid of any merits. Pending application also stands disposed of.

9. The petitioner is directed to surrender before the concerned jail authorities forthwith.

MANOJ KUMAR OHRI, J

JULY 17, 2020

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