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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2098/2020

VIJAY KATARIA

.....Petitioner

Through: Mr Maninder Singh and Mr Vinod
Kumar Sharma, Advocates.

versus

THE STATE

..... Respondent

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

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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17.08.2020

The hearing was conducted through video conferencing.

4. The applicant/petitioner seeks interim bail in case FIR No.590/2019 under sections 302/323/109/120B/34 of the IPC and under sections 25/27 of the Arms Act registered at Police Station Bawana, Delhi to attend to his wife's medical condition i.e. removal of multiple gall bladder stones. She was to be operated upon today but has been unable to go through the procedure due to lack of personal assistance. She requires assistance not only at the time of the operation but also apropos post-operative care. It is stated that the petitioner would also be required to make due arrangements and gather finances for the said operation. The petitioner's father, who lives near their place of residence, is not on the best terms with the petitioner's family, since of them are accused in the aforestated criminal case. The petitioner's wife is stated to be managing the affairs of the house alone, where she lives along with her two children, one of whom is an implicated

juvenile and the other one is a student of class 9.

2. The petitioner's wife was released on bail on 05.06.2020, to attend to her minor son and for her daughter's admission in a school. Subsequently, her bail was extended on 20.07.2020 for the aforesaid operation. During the period of interim bail, she has given no cause of complaint to the prosecution. The petitioner has deep roots in the society.
3. In view of the aforesaid compelling circumstances, the petitioner is granted interim bail for a period of six weeks, from the date of his release, on his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the Duty MM/Jail Superintendent concerned, subject to the following conditions:
 - (i) The petitioner shall keep the SHO/IO concerned informed of his whereabouts every Friday between 11:00 a.m. and 11:30 a.m. or between 5:00 p.m. to 6:00 p.m. through video call and if a video call is not possible, he may send an SMS apropos his whereabouts, as well as "drop-a-pin" on location app to indicate his location. The IO's telephone number shall be provided to the learned counsel for the petitioner.
 - (ii) The petitioner shall not leave the territory of NCT of Delhi.
 - (iii) The petitioner shall not contact the complainant(s) in any manner and shall not do anything which will prejudice the case of the prosecution.
 - (iv) The petitioner shall provide his contact number to the IO/SHO concerned and shall ensure that such number is reachable at all

times.

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

NAJMI WAZIRI, J

AUGUST 17, 2020/*rd*