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

+ **BAIL APPLN. 2160/2020**

SULEMAN @ SHAHRUKH

..... Petitioner

Through Ms. Dolly Sharma, Adv.

versus

STATE

..... Respondent

Through Mr. Amit Chadha, APP for the State

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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21.08.2020

The hearing has been conducted through video conferencing.

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. read with Section 482 Cr.P.C. for grant of interim bail for a period of 45 days in case FIR No.257/2016 registered at Police Station Sangam Vihar, Delhi.
2. The present petition is filed on the ground that the father of the petitioner is 55 years old and he is bed-ridden, therefore, he is not able to work. The mother of petitioner is also ill and not able to take care of the father of the petitioner. The petitioner's brother is minor and he is also not able to take care of his parents and the family of the petitioner is on the verge of starvation.
3. Pursuant to directions passed by this Court, status report has been filed today and on enquiry conducted, it is stated that the father of the petitioner has a stall of ironing the clothes and at the time of conducting enquiry, he was found working there and earning his livelihood. Thus, the father of the

petitioner is not found to be bed-ridden as stated in the present petition.

4. As per the medical status report of the father of the petitioner, he is not 55 years old instead he is 47 years old. It is verified from the National Institute of TB and Respiratory Diseases and on verification it is reported that *“patient Sahid, aged 47 years, attended OPD on 09.03.2020 (OPD Registration No.2020/12433). Patient was diagnosed Pulmonary TB on 11.03.2020. Patient enrolled in Truncate TB Trial on 16.03.2020. Patient completed treatment on 11.05.2020 and improved. Now patient is on long-term follow-up. Last follow-up visit was on 30.07.2020. Patient was absolutely stable and asymptomatic on 30.07.2020. Next follow-up visit is on 31.08.2020 and as per the report of the hospital, he has already completed his treatment and he is stable now.”*

5. It is not in dispute that on the aforesaid ground, the petitioner was earlier granted interim bail twice and he did not violate any terms and conditions of the bail.

6. Though the father of the petitioner is not bed-ridden presently, however, as per the medical record mentioned above, he is a TB Patient and getting treatment and lastly he visited hospital on 30.07.2020. Even, as per age of the father is 47 and he is earning his livelihood by ironing and no other earning member is there in the family. Therefore, on humanitarian ground, I hereby grant interim bail to the petitioner for a period of three weeks.

7. Accordingly, he shall be released on interim bail for three weeks from the date of his release on his furnishing a personal bond in the sum of Rs.10,000/- and with one surety in the like amount to the satisfaction of the Trial Court.

8. The petition is, accordingly, allowed and disposed of.

9. Copy of this order be transmitted to the Jail Superintendent concerned and Trial Court for necessary compliance.
10. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.

SURESH KUMAR KAIT, J

AUGUST 21, 2020/rk