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

+ BAIL APPLN. 2312/2020
CRL. M.A. 11479/2020 (extension of parole for a period of two months)

SOMBIR

..... Petitioner

Represented by: Mr.Harsh Vardhan Sharma,
Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for the
State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.09.2020

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The hearing has been conducted through Video Conferencing.

1. The petitioner was granted interim bail for a period of four weeks vide order dated 15th July, 2020 in Bail Appln. No. 1267/2020 based on the medical documents filed by the petitioner.
2. By this petition, the petitioner sought extension of interim bail. When the matter came up before this Court on 24th August, 2020, this Court issued notice to the State asking them to verify the facts as also extended the interim bail granted to the petitioner till today in view of the verifications required to be conducted.
3. Petitioner stated that his mother had a low vision, the blood platelet count of his brother was low and the petitioner was also suffering. With the

present petition, the petitioner has filed two medical certificates from one Dr. Ajay Singh Pundeer running Metro Plus Hospital at Najafgarh, Delhi. On 10th August, 2020, the Doctor noted complaints of loose motion for last one month, fever, cough with sputum, low back pain, body ache. The blood pressure of the petitioner was 100/70, pulse rate was 84 and the temperature was 101 fahrenheit. The Doctor prescribed the medicines which primarily were of stomach infection, pain killer and fever and advised 10 days' bed rest. Despite these symptoms, the concerned Doctor did not even deem it fit to get the Covid-19 or blood test of the petitioner conducted. There is again a follow up prescription dated 21st August, 2020 which notes the complaints of fever, low appetite, cough, mild pain in abdomen, vomiting and low backache. The blood pressure and the pulse rate remained same and the temperate shown at this time was 103 fahrenheit. The Doctor again prescribed 20 days' bed rest to the petitioner.

4. What is alarming is that, despite the fact that in the two prescriptions, Doctor notes ailments of the stomach for the last one month and finding consistent high fever ranging from 101 to 103 fahrenheit between 10th August, 2020 to 21st August, 2020, there is no recommendation for getting the blood test done of the petitioner to ascertain his actual ailments.

5. A status report has been filed which speaks the manner in which the OPD prescription was given in favour of the petitioner. According to the Doctor, he confirmed having prescribed the petitioner two OPD prescriptions and as per his opinion, the patient is having routine sickness which can get cured by normal medicines and there is nothing serious about him. The status report also indicates that the petitioner was directed to communicate with the SHO/IO telephonically every Monday and Thursday,

however, the petitioner failed to comply with the conditions on which bail was granted, including sharing his location by dropping the PIN on the Google Map. A perusal of the status report also indicates that the petitioner is involved in as many as nine other FIRs in relation to the offences punishable under Sections 392/394/307/186 IPC and 25 of the Arms Act. He has already been convicted in five FIRs, acquitted in two of them and two are pending trial. It is further noted that the petitioner is a history sheeter and the entries in the surveillance register reveal that he was not traceable for nine months before the arrest in the present FIR i.e. FIR No. 58/2020 under Sections 394/397/459/34 IPC and Sections 25/27 Arms Act registered at P.S. Mundka which fact, is refuted by the learned counsel for the petitioner, who states that the petitioner had been visiting the office of the DCP every month.

6. Considering the track record of the petitioner as also the so called medical condition, this Court finds no ground to extend the interim bail granted to the petitioner. Petition and application are dismissed.

7. The petitioner would surrender to the custody before the concerned Jail Superintendant tomorrow i.e. 4th September, 2020.

8. Order be uploaded on the website of this Court. Copy of the order be also communicated to the Superintendent, Tihar Jail.

MUKTA GUPTA, J.

SEPTEMBER 03, 2020

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