

\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2387/2020 & CRL.M.(BAIL) 7917/2020,**
11738/2020
RAKESH KUMAR Petitioner

Through: Mr. Anil Soni, Mr. Amit Pratap
Shaunak, Mr. Nityanad Mahato & Mr.
Kaushal Kishore, Advocates (M-
9540478632)

versus

STATE OF (NCT) DELHI Respondent
Through: Mr. Raghuvinder Verma, APP.

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **27.08.2020**

1. This hearing has been held through video-conferencing.
2. The present petition has been filed by the Petitioner – Mr. Rakesh Kumar, who seeks regular bail. The Petitioner has been charged with committing offences under Sections 302/34 of IPC. The allegation against the Petitioner is that he, in collusion with the maid working in his house, has caused the death of his mother. He was arrested on 13th December, 2019, though the death of his mother took place on 24th October, 2019.
3. Mr. Anil Soni, Id. Counsel appearing for the Petitioner submits that the first death anniversary of the Petitioner's father, who had passed away last year, is on 31st August, 2020, and that he is the only surviving son to perform the rituals. The Id. ASJ has rejected the bail of the Petitioner vide order dated 14th August, 2020 on the ground that the investigation was at an early stage

and the alleged crime is very serious.

4. The status report, which was filed before the Id. ASJ, shows that the prosecution relies on the evidence placed on record, to oppose the grant of regular bail.

5. Mr. Soni, Id. counsel further submits that the Petitioner has two properties being Flat No.304, Second Floor and Flat No.402, Third Floor, both situated at Property No.106, Bhagmal Apartments, Ward No.9, Village Kishan Garh, Vasant Kunj, New Delhi, in which there are tenants and he would like to sort out the affairs of the said properties. However, Mr. Verma, Id. APP seriously opposes the bail on the basis of contents of the status report before the Id. ASJ.

6. This Court, at this stage, is not inclined to consider regular bail and is willing to consider interim bail for the Petitioner, in order to enable him to perform the first death anniversary rites of his father on 31st August, 2020. Further the Petitioner also wishes to sort out the issues with his tenants in the two properties. Accordingly, the Petitioner is directed to be released on interim bail for a period of two weeks from the date of release, subject to the following terms and conditions.

- i) The Petitioner shall furnish a personal bond to the tune of Rs.25,000/- to the satisfaction of the trial court;
- ii) The Petitioner shall provide his live mobile number and the residential address, where he would be living, to the Investigating Officer (hereinafter, 'IO');
- iii) The Petitioner shall report physically to the IO on a daily basis;
- iv) The Petitioner shall not leave Delhi;
- v) The Petitioner shall not contact any of the witnesses or indulge

in any conduct so as to impede the trial.

7. Immediately upon the expiry of the interim bail period i.e. 2 weeks from the date of release, the Petitioner shall surrender before the Jail Authorities.

8. Since this Court is not inclined to grant regular bail at this stage, the petition is disposed of. Liberty is left open to the Petitioner to seek regular bail at an appropriate stage, if permissible in accordance with law. All pending applications are also disposed of.

PRATHIBA M. SINGH, J

AUGUST 27, 2020

Rahul/A