



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

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Reserved on : 12.09.2023

Pronounced on : 19.09.2023

+ **BAIL APPLN. 1987/2023**

KARAN ALIAS RAJ KARAN ALIAS BITTOO Petitioner

Through: Mr. Ravi Chawla, Mr. Abi Kalra, Mr. Prateek Lakra, Ms. Anjali Saxena and Mr. Avnish Upadhyaya, Advocates.

versus

STATE

..... Respondent

Through: Mr. Amit Ahlawat, APP for the State with Insp. Satbir Singh, PS Subzi Mandi.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

RAJNISH BHATNAGAR, J.

CRL.M.(BAIL) 871/2023

1. The present application U/s 439 R/w Section 482 of the Cr.P.C. has been filed by the applicant/petitioner seeking grant of interim bail to him on the ground that his mother is seriously ill and she is suffering from degenerative disc disease which is to be operated upon.

2. It is submitted by the Ld. counsel for the applicant/petitioner that the petitioner has been previously enlarged on interim bail but he has never

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misused the indulgence shown by the Courts. It is further submitted by the Ld. counsel for the petitioner that on previous occasion when the petitioner was granted interim bail on the ground of surgery of his mother on 17.05.2023, the surgery had to be deferred on 29.05.2023 as the petitioner could not be released in time on bail and on 29.05.2023, the surgery could not take place since the interim bail granted to the petitioner was expiring on 30.05.2023 and the doctors opined that she needed support of the attendant for a longer period.

3. It is submitted by the Ld. APP for the State that no doubt, surgery of the mother of the petitioner has been opined but the petitioner has been previously released on interim bail for this purpose but he has not taken any concrete steps in order to get the surgery performed on his mother. He further submitted that even if the petitioner was released on 18.05.2023, he could have arranged for the surgery of his mother thereafter and before the date of his surrender but he is simply delaying the surgery of his mother so as to remain out of jail on one pretext or the other.

4. It is further submitted by the Ld. APP that as per the petitioner he was released from J.C. on 18.05.2023 and his interim bail was expiring on 30.05.2023 meaning thereby, he had almost 12 days to arrange for an attendant for his mother but he has failed to do so. He further submitted that apart from the present case, the petitioner is involved in 4 more criminal cases. It is further submitted by the Ld. APP that the petitioner was again granted interim bail for a period of 2 weeks vide order dated 05.06.2023 but still the surgery was not performed and no arrangements for the attendant



were made by the petitioner simply for the reason that he wants to remain out on bail on this pretext.

5. The record reveals that the medical documents of the mother of the petitioner had been found to be genuine. So, without giving any opinion at this stage, on the previous conduct of the petitioner while he was out on interim bail, looking into the facts and circumstances, the petitioner is admitted to interim bail for a period of 10 days from the date of his release on his furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount subject to the satisfaction of the trial Court. In case, for any reason the surgery of the mother of the petitioner is not performed, the petitioner shall surrender before the Trial Court concerned on the expiry of interim bail period. The application is disposed of accordingly.

RAJNISH BHATNAGAR, J

SEPTEMBER 19, 2023

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