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

+ **BAIL APPLN. 199/2024 & CRL.M.(BAIL) 91/2024**

JITENDER SINGH

..... Petitioner

Through: Ms.Dolly Sharma, Adv.

versus

STATE

..... Respondent

Through: Ms.Priyanka Dalal, APP with
SI Vikas.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

25.01.2024

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1. This application has been filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), praying for grant of *interim* bail to the applicant in FIR No.189/2021 registered at Police Station Hauz Khas, under Sections 420/406/419/467/468/471 of the Indian Penal Code, 1860 (in short, 'IPC') for a period of 60 days.

2. Pursuant to the order dated 18.01.2024, the medical report of the applicant has been received from the Superintendent of Central Jail No.8/9, Tihar, which *inter alia* states that the applicant has been repeatedly referred to the Safdarjung Hospital, Department of Orthopaedics, for recurrent dislocation of left shoulder. He has also been referred to the DDU Hospital. It is further reported that surgery has been planned for him on 27.01.2024 at Safdarjung Hospital.

3. The learned counsel for the applicant submits that the applicant



has been referred to the Safdarjung Hospital on number of occasions and would like to have the surgery conducted in a private hospital.

4. On the other hand, the learned APP for the State submits that due care has been taken for the injury suffered by the applicant and there is no reason for him to be enlarged on *interim* bail. She further submits that the applicant is involved in three other cases, details of which are given in paragraph 6 of the Status Report dated 23.01.2024.

5. In rejoinder, the learned counsel for the applicant submits that in one of those cases, the applicant already stands acquitted, while in the other two cases, he has been enlarged on Regular Bail.

6. Keeping in view the report received from the Jail Superintendent, which itself states that the applicant has been repeatedly referred to the Safdarjung Hospital in relation to the shoulder dislocation and surgery regarding the same is planned to be conducted on 27.01.2024, the applicant, that is, Jitender Singh is granted *interim* bail in FIR No.189/2021 registered at Police Station: Hauz Khas, under Sections 420/406/419/467/468/471 of the IPC for a period of four weeks from the date of his release for undergoing the surgery, upon his furnishing a personal bond in the sum of Rs.25,000/- and one surety of the like amount to the satisfaction of the learned Trial Court, and further subject to the following conditions:

- a) Applicant shall not leave Delhi/NCR without prior permission of the Court;
- b) Applicant shall appear before the Court as and when the matter is taken up for hearing;
- c) Applicant shall provide his mobile number and also the



mobile number of his wife/surety to the IO concerned, both of which shall be kept in working condition at all times and he shall not change the mobile numbers without prior intimation to the Investigating Officer concerned;

d) Applicant shall inform the IO and the Jail Superintendent the address where he shall be available in Delhi.

e) Applicant shall also inform the IO of the Hospital where he is undertaking the medical procedure for his ailment and shall keep updating the IO on a weekly basis of the treatment undergone by him.

f) Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.

7. Upon expiry of period of four weeks, as stated above, the applicant shall surrender before the concerned Jail Superintendent.

8. The Bail Application is disposed of.

9. Pending application is also disposed of being rendered infructuous.

10. *Dasti.*

11. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.

NAVIN CHAWLA, J

JANUARY 25, 2024/Arya/am

Click here to check corrigendum, if any