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

+ BAIL APPLN. 430/2024

NAVEEN KUMAR

..... Applicant

Through: Mr.Jitendra Sethi, Mr.Hemant
Gulati, Advs.

versus

STATE NCT OF DELHI

..... Respondent

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

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

09.02.2024

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1. This application has been filed under Section 439 of the Code of Criminal Procedure, 1973 (in short, 'CrPC') seeking *interim* Bail for a period of two months in FIR No.0075/2018 registered at Police Station: Chhawala, Dwarka, Delhi under Sections 302/307/452/120B/201/34 of the Indian Penal Code, 1860 (in short, 'IPC') read with Sections 25/27 of the Arms Act, 1959.

2. The applicant seeks *interim* bail on the ground that his son, aged about 22 years, has been diagnosed to be suffering from Prolapsed Intervertebral Disc (PIVD), of the spinal cord, and despite conservative treatment, there is no respite from the same. He has now been advised to undergo surgery which is schedule for 11.02.2024. It is further stated that earlier for the same purpose, the applicant had been granted *interim* bail for a period of two weeks vide order dated 29.11.2023 passed by this Court in Bail Application No.3413/2023, however, as the son of the



applicant suddenly fall ill on 05.12.2023, the surgery earlier scheduled could not be performed. It is stated that though the applicant availed of the benefit of the above order and was released on 05.12.2023, he duly surrendered on 18.12.2023. There is no allegation of him having misused the indulgence so granted.

3. The learned APP for the State hands over a copy of the Status Report and the Medical Report wherein the fact of the surgery of the son of the applicant scheduled on 11.02.2024 at Aadhya9, Multispecialty Hospital, West Patel Nagar, Delhi has been duly verified. The Status Report and the Medical Report is taken on record.

4. Keeping in view that earlier for the same purpose, this Court has granted *interim* bail to the applicant vide order dated 29.11.2023 referred hereinabove, the applicant is granted *interim* bail for a period of two weeks with effect from the date of his release upon furnishing a personal bond in the sum of Rs.15,000/- with one surety of the like amount to the satisfaction of the Trial Court and further subject to the following conditions:

- a. The applicant will not leave the country without prior permission of the Court;
- b. The applicant shall provide permanent address to the Trial Court. The petitioner shall intimate the Court by way of an affidavit and to the Investigating Officer (IO) concerned regarding any change in residential address;
- c. The applicant shall appear before the Court as and when the matter is taken up for hearing;
- d. The applicant shall provide all/latest/fresh mobile number(s) to



the IO concerned which shall be kept in working conditions at all times and shall not be switched off or changed by him without prior intimation to the IO concerned and the learned Trial Court;

e. The applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, or any member of the victim's family or tamper with the evidence of the case or try to intimidate any witnesses in the case.

5. The applicant shall surrender immediately after the expiry of two weeks from the date of his release.

6. It is made clear that if for any reason the son of the applicant is unable to undergo the surgery this time, the applicant shall not be entitled to seek *interim* bail on this ground any further.

7. The application is disposed of in the above terms.

8. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

9. *Dasti.*

NAVIN CHAWLA, J

FEBRUARY 9, 2024/Arya/RP

Click here to check corrigendum, if any