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

+ **BAIL APPLN. 705/2024**

RAKESH @ SUNNY @ SANJAY

..... Petitioner

Through: Mr. Naveen Gaur & Mr. Neeraj
Gahlaut, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Hemant Mehla, APP for the State
Insp. Satbir Singh, P.S. Subzi Mandi.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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29.02.2024

CRL.M.A. 6232/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

BAIL APPLN. 705/2024

3. The present application under Section 439 of the Cr.P.C. seeks the following prayers:

“It is, therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to allow this application and extend the interim bail for a period of 30 days in FIR No.303/2014, u/s 302/307/120B/34 IPC R/w Section 25/54/59 Arms Act, P.S. Subzi Mandi, in the interest of justice.”

4. Issue notice.
5. Learned APP for the State accepts notice.
6. It is pointed out that *vide* order dated 06.02.2024, this Court had



granted interim bail to the applicant from his date of release to 05.03.2024. It is further pointed out that the applicant was on interim bail in another FIR in pursuance of order dated 02.02.2024 passed by a coordinate bench in BAIL APPLN 4291/2023. It is pointed out that the interim bail was given on ground of father's operation, which was scheduled for 10.02.2024, however, the surgery has now been rescheduled for 07.03.2024.

7. Learned counsel for the applicant draws attention of this Court to order dated 27.02.2024 passed by a coordinate Bench of this Court in BAIL APPLN. 696/2024, where it has been observed as under:

“6. Having gone through the contents of application and having heard arguments addressed by both the parties and also taking into account the fact that the surgery of the father of the applicant is scheduled for 07.03.2024, in these circumstances the applicant is directed to surrender tomorrow i.e. 28.02.2024 before the concerned Jail Superintendent. However, this Court notes that the applicant has earlier remained on interim bail vide order dated 02.02.2024 passed by this Court and has not misused the liberty of interim bail so granted. In view thereof, this Court is inclined to grant interim bail to the applicant for a period of 15 days from date of his release from 05.03.2024 since his father's surgery is rescheduled for 07.03.2024.”

8. It is further pointed out that in pursuance of the aforesaid order, the applicant has surrendered and is now in judicial custody.

9. In totality of the facts and circumstances, the applicant is directed to be released on interim bail for 15 days from 05.03.2024 to 19.03.2024 to the satisfaction of the learned Trial Court, subject to following conditions:

- i. The applicant shall remain available on mobile numbers; shared by him with the Police.
- ii. The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.



iii. The applicant shall duly surrender before the concerned Superintendent Jail after the expiry of interim bail.

10. The application is allowed and disposed of.

11. Pending applications, if any, also stand disposed of.

12. It is clarified that no further extension of interim bail shall be granted to the present applicant.

13. Needless to state, nothing stated hereinabove is an opinion on the merits of the case.

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

15. Order be uploaded on the website of this Court, *forthwith*

AMIT SHARMA, J

FEBRUARY 29, 2024/bsr