



\$~78

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 787/2024**

PANKAJ

..... Petitioner

Through: Ms. Dolly Sharma, Advocate.

versus

STATE GNCT OF DELHI

..... Respondent

Through: Mr. Ajay Vikram Singh, APP.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

%

15.03.2024

1. Application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for interim bail for a period of 30 days in FIR No. 0141/2022, under Sections 302/34 IPC and Sections 25/27/54/59 Arms Act, registered at PS: Hauz Khas, Delhi, on the grounds of surgery of wife of petitioner.

2. Learned APP for the State opposes the application and submits that accused is involved in heinous offence of murder, and CCTV footage reflects that he fired at the time of incident. A pistol is further stated to have been recovered at the instance of accused.

It is further pointed out that the documents, relied upon by the petitioner, were verified from Raj Medical Centre on 07.03.2024, wherein, the doctor opined that surgery is not required in these cases. However, on the contrary, Lamba Hospital & Nursing Home opined that surgery is required. It is also submitted that petitioner is a bad character of the area and involved in several offences.



3. Learned counsel for the petitioner emphasizes that since there is none to take care of the wife of petitioner, interim bail be granted for a period of 30 days. It is also clarified by learned counsel for the petitioner that the doctor from Raj Medical Centre, who has given the opinion that surgery is not required, is not fit to deliver the opinion.

4. Considering the contrary medical opinions, heinous nature of offence and evidence on record, no grounds for interim bail are made out.

Application is accordingly dismissed. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 15, 2024/R