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

+ **BAIL APPLN. 889/2024**

RAHUL GUPTA

..... Petitioner

Through: Ms. Dimple Vivek, Advocate.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Shubhi Gupta, APP for the State.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **12.03.2024**

CRL.M.A. 7712/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This is a petition under Section 21(4) of Maharashtra Control of Organized Crime Act, 1999 ('MCOCA') read with Sections 439 and 482 Cr.P.C. filed by the Petitioner Rahul Gupta S/o Sh. Mahesh Gupta seeking extension of interim bail for 08 weeks in case FIR No.397/2019 dated 13.08.2019 registered under Sections 3 and 4 MCOCA, registered at PS: Hari Nagar, on account of serious medical condition of his father.
4. Petitioner was granted interim bail vide order dated 15.12.2023 by the Trial Court to attend to his father, who is critically ill. The interim bail was extended from time to time including by order dated 26.02.2024 for a period of 10 days and by order dated 06.03.2024 for a further period till 13.03.2024, on the same terms and conditions.



5. Learned counsel for the Petitioner states that father of the Petitioner, who is aged 76 years, continues to be critical and is admitted in the ICU of Aadhya 9 Multi Speciality Hospital, West Patel Nagar, Delhi and therefore, interim bail granted to the Petitioner by the Trial Court be extended by this Court. It is undertaken on behalf of the Petitioner that no further extension of interim bail will be sought on the ground that the father of the Petitioner is ill.

6. Issue notice.

7. Learned APP accepts notice on behalf of the State. Relying on the Status Report filed before the Trial Court as well as the observations of the Trial Court in orders dated 26.02.2024 and 06.03.2024, whereby extensions were granted to the Petitioner, learned APP opposes the petition on the ground that the offences alleged against the Petitioner are grave and serious.

8. I have gone through the Status Report filed on behalf of the State before the Trial Court as well as orders dated 26.02.2024 and 06.03.2024 passed by the Trial Court. Indisputably, father of the Petitioner continues to be critically ill and is admitted in the ICU. Looking at the overall facts and circumstances, this Court deems it appropriate to extend the interim bail by a period of two weeks from 14.03.2024, as the extended interim bail expires on 13.03.2024. Extension of interim bail shall be subject to the same terms and conditions as imposed by the Trial Court in its order dated 26.02.2024. Petitioner shall surrender forthwith on expiry of two weeks from 14.03.2024. Undertaking of the Petitioner that no further extension of interim bail will be sought on the ground of his father's illness, is taken on record.



9. Petition stands disposed of making it clear that this Court has not expressed any opinion on the merits of the case.
10. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

JYOTI SINGH, J

MARCH 12, 2024/shivam/kks