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

+ **BAIL APPLN. 2685/2024**

MOHIT @ PANCHI

.....Petitioner

Through: **Mr. Ujjwal Puri, Advocate.**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Aman Usman, APP for the State with Mr. Sushant Chaudhary, Ms. Sunita Farswan, Mr. G. S. Dhir, Mr. Akshya Choudhary, Mr. Rahul and Mr. Arun Sanwal, Advocates and with SI Krishan Kumar, PS Spl. Cell.**

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **31.07.2024**

CRL.M.A. 22445/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

BAIL APPLN. 2685/2024

1. An application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner / applicant for grant of interim bail for a period of 30 days in FIR No. 252/2018 under Section 3 of Maharashtra Control of Organised Crime Act, 1999 ('MCOC Act') registered at P.S. Special Cell.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. Learned counsel for the petitioner submits that pursuant to application



for interim bail preferred on behalf of the petitioner before the learned Trial Court, petitioner was directed to be released on interim bail for three days, in case, wife of the petitioner is admitted in the hospital and surgery is to be conducted on 24.05.2024. He further submits that thereafter his wife got admitted to the hospital on 23.05.2024 and the surgery was scheduled to be held on 24.05.2024 but the same could not be undertaken since petitioner had not been released on bail. He contends that vide impugned order dated 29.05.2024, no further directions have been issued by the learned Trial Court for release of petitioner on interim bail in case the date for surgery is fixed, observing that the conduct of the petitioner has not been above board.

4. Learned APP for the State submits that petitioner may be directed to file a fresh application before the learned Trial Court, in case, any date for surgery has been fixed which may be considered in accordance with law.

5. Considering the facts and circumstances, in case the surgery of the wife of petitioner is scheduled at Aadhya Hospital, learned Trial Court shall consider the application for release of petitioner on interim bail afresh after verification, in accordance with law, without being influenced by the dismissal of his earlier application vide order dated 29.05.2024 by the learned Trial Court.

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

A copy of this order be forwarded to the learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

JULY 31, 2024

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