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

+ **BAIL APPLN. 2696/2024**

HITESH KUMAR

.....Petitioner

Through: Mr. Pritish Sabharwal and Mr.
Shashank Shekhar, Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Yudhvair Singh Chauhan, APP for
the State.

SI Kanhaiya Lal, D-6820, PS
Shahdara

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

04.09.2024

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1. Petitioner has approached this Court seeking interim bail for 90 days in FIR No.43/2019, dated 22.02.2019, registered at Police Station Shahdara for offences under Sections 420/467/468/471/120B/34 IPC, on the ground that his wife has to undergo a surgery.
2. A report from the doctors at Lamba Hospital & Nursing Home, Ashok Vihar, New Delhi has been furnished which confirms that the petitioner's wife requires surgery for '*fissure in ano*' with piles and that period of her stay in hospital for purposes of the surgery will be 02 days; and that she will require post-operative care of about 01 month. The doctor has further confirmed that for the purposes of her surgery and post-operative care, the wife of the Petitioner would require an attendant. Furthermore, the doctor has also confirmed that the surgery has been scheduled for 15.10.2024.
3. Considering the above facts and circumstances, this Court is inclined



to grant interim bail to the Petitioner for a period of four weeks commencing from 13.10.2024 on the following conditions:

- a) The petitioner shall furnish a personal bond in the sum of Rs.25,000 (Rs. Twenty-five Thousand Only) with 02 sureties in the like amount, one from the petitioner's brother and the other from the petitioner's sister, to the satisfaction of the Jail Superintendent;
- b) The petitioner shall not leave the State of Delhi without permission of the court and shall ordinarily reside at WZ-49 C/D, Chhotial, Palam Village, South West Delhi, New Delhi;
- c) The petitioner shall present himself before the Investigating Officer every 3rd day from the date of his release between 11am and 11:30am to mark his presence. However, he will not be kept waiting longer than an hour for this purpose;
- d) The petitioner shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- e) If the petitioner has a passport, he shall surrender the same to the Jail Superintendent and shall not travel out of the country without prior permission of this court;
- f) The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case.
- g) The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would



prejudice the proceedings in the pending trial.

4. Upon expiry of the period of interim bail, the petitioner shall surrender before the concerned Jail Superintendent.
5. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 4, 2024

Rahul