



\$~9

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

+ **BAIL APPLN. 3888/2023**

RAHUL KUMAR

..... Petitioner

Through: Ms. Anu Narula, Advocate

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Manoj Pant, APP for the State
with SI Ravi Shankar, P.S. Patel
Nagar

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

15.04.2024

%

1. The instant application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C. ') has been filed on behalf of the applicant seeking grant of interim bail for a period of one month in case bearing FIR No.414/2021 registered at Police Station Patel Nagar, Delhi for offence punishable under Sections 302/394/397/34 of Indian Penal Code, 1860 ('IPC').

2. Briefly stated, the facts of the present case as per prosecution are that on 15.08.2021, domestic help of the complainant namely Pritpal Singh was found murdered in his house while he had gone out with his family to celebrate birthday of his wife. It is alleged that on the day of incident i.e. 15.08.2021, one Anil, who used to work as electrician at the house of complainant had not finished his work, and thus, the complainant had asked



the domestic help Sarita to stay until he finish his work. Thereafter, when the complainant made a call to domestic help Sarita for inquiry about electric work, she did not pick the call and when they had reached house and opened the door, they had found Sarita lying dead. Thereafter, the case was registered against the accused for offence punishable under Sections 302/394/397/34 of IPC.

3. Learned counsel for applicant states that the present interim bail has been sought on the ground that the mother of the applicant is not keeping well. It is stated that the mother of applicant is ill for almost six months and is receiving treatment but there is no improvement in her condition. It is also stated that the applicant is extremely worried about his mother as she is old and ill and there is no one to look after his mother.

4. On the other hand, learned APP for the State argues that the offences are grievous in nature and the applicant/accused may influence the witnesses, if enlarged on bail. However, it is also submitted on instructions from the IO that the medical condition of the applicant's mother has been verified.

5. I have heard arguments addressed by learned counsel for the applicant as well as learned APP for the State and have perused the material on record.

6. It is verified by the IO that the mother of applicant has been suffering from various old age diseases as well as some medical complications of her throat. It is also verified that she has no one to look after her and that when she had medical emergency, her neighbours had tried to help her. The applicant being in judicial custody has not been able to himself produce medical documents pertaining to his mother. However, since now, the IO has verified the same, this Court is inclined to grant interim bail to the



present applicant for a period of one month on the following conditions:

- (i) The applicant shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Trial Court;
 - (ii) The applicant shall furnish to the IO/SHO/Jail Superintendent concerned, his mobile number on which the applicant may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
 - (iii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.
 - (iv) The applicant shall surrender before the Jail Authorities at the expiry of the period of interim bail.
7. Accordingly, present application stands disposed of.
 8. Copy of the order be communicated electronically to the concerned Jail Superintendent, for information and compliance, through the Registry.
 9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 15, 2024/ns

Click here to check corrigendum, if any