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

+ **BAIL APPLN. 2916/2024**

VARUNPetitioner

Through: Mr. Vineet Jain, Advocate.

versus

STATE NCT OF DELHIRespondent

Through: Mr. Utkarsh, APP for the State with
SI Rahul Yadav, P.S.: Kirti Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

12.09.2024

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Pursuant to last order dated 09.09.2024, Mr. Utkarsh, learned APP appearing on behalf of the State has handed-up Status Report dated 12.09.2024, which verifies the medical documents that were filed on behalf of the petitioner in support of his interim bail petition. The status report is taken on record.

2. The status report narrates that the attending doctors at Kalra Hospital SRCNC Pvt. Ltd., Kirti Nagar, New Delhi have confirmed that the petitioner is scheduled for an ACL reconstruction surgery on 19.09.2024.
3. Mr. Vineet Jain, learned counsel appearing for the petitioner submits, that the petitioner is required to admit himself to hospital one day prior to the surgery *i.e.* on 18.09.2024.
4. Learned APP however submits, that while granting interim bail to the petitioner it be borne in mind that the petitioner was absconding for



almost 02 years after the date of incident on 04.11.2022 and was arrested only on 17.07.2024; that in the meantime, proceedings under section 82 of the Code of Criminal Procedure 1973, had been initiated against the petitioner; and that the petitioner also has other criminal involvements.

5. Upon being queried, Mr. Jain submits that the surgery and post-operative care would take about 07 days; and the petitioner is therefore praying that he be released on interim bail for a period of 10 days.
6. Upon an overall conspectus of the facts and circumstances of the case, in particular the fact that interim bail has been sought on the ground that the petitioner needs surgery, which has been duly verified by the Investigation Officer, the petition is allowed; and the petitioner – **Varun s/o Bhagwan Dass** – is granted *interim bail* for a period of 10 days w.e.f. 17.09.2024, subject to the following conditions:
 - 6.1. 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, at least one of which shall be the petitioner's wife, to the satisfaction of the Jail Superintendent;
 - 6.2. The petitioner shall not leave the State of Delhi without permission of the court and shall *ordinarily* reside at the address as mentioned in the application;
 - 6.3. The petitioner shall furnish to the Investigating Officer a cell-phone 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;



- 6.4. 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;
- 6.5. 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. 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;
- 6.6. Since the petitioner is being released on interim bail to undergo surgery, no reporting requirement is being imposed upon him; and;
- 6.7. Upon expiry of the period of interim bail as stated above, the petitioner shall surrender before the Jail Superintendent *forthwith*.
7. Petition stands disposed-of in the above terms.
8. Pending applications, if any, also stand disposed-of.
9. Let a copy of this order be sent to the concerned Jail Superintendent *forthwith*, for information and compliance.
10. As requested, a copy of this order be given *dasti* under signatures of the Court Master.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 12, 2024

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