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

+ **BAIL APPLN. 127/2024**

DIGAMBER SINGH

..... Petitioner

Through: Mr. Rahul Kumar, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State
with Inspector Ashwani PS BHD
Nagar, Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

18.01.2024

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1. By way of present bail application filed under Section 439 Cr.P.C., the applicant seeks interim regular bail for a period of four weeks in FIR No. 83/2017 registered under Sections 302/307/452/506 IPC at Police Station Baba Haridas Nagar, Delhi pending before learned ASJ, Special Court (Electricity) South West District, Dwarka Courts, Delhi.
2. The applicant states that his wife was admitted to hospital on 22.11.2023 for delivery of the child however the child could not survive and expired on that very day. The applicant's wife is in a traumatic state and needs the company of her husband. Further, the applicant also needs to arrange for the other two minor children. Learned counsel for applicant further states that the applicant/petitioner was earlier also released on interim bail on three or four occasions and he never misused the liberty granted to him. It is also stated that he is not involved in any other case.
3. Learned APP for State has handed over a copy of the status report which is taken on record. The medical documents of the applicant's wife-



Ms. Neetu have been verified from Vasu Hospital, New Sohna Road, Palwal, Haryana and it has been verified that Ms. Neetu was admitted for delivery on 22.11.2023 where she gave birth to a female child, who was stillborn. The applicant's wife alongwith her two minor sons is residing with her parents.

4. Learned APP states that the applicant has misused the concession granted to him on the last occasion and NBWs were directed to be issued. Learned counsel for the petitioner states that the late surrender was on account of certain misunderstanding of the HPC Guidelines and assures the Court that the applicant will surrender in time, if concession of interim bail is granted to him.

5. Considering the totality of the facts and circumstances and the fact that the applicant was earlier released on bail and that he is not involved in any other case, it is directed that the applicant be released on interim bail for a period of seven days from the date of release, subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty M.M. and subject to the following further conditions:-

- i) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the period of interim bail.
- ii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iii) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- iv) The applicant shall surrender before concerned Jail Superintendent on



expiry of interim bail of seven days.

v) The applicant on being released shall report to SHO, Police Station Palwal Camp, Palwal, Haryana on Sunday i.e. 21.01.2024 and Tuesday i.e. 23.01.2024.

6. The bail application is disposed of in the above terms.

7. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

8. Copy of the order be uploaded on the website forthwith.

MANOJ KUMAR OHRI, J

JANUARY 18, 2024/rd