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

+ **BAIL APPLN. 3344/2024**

JATIN

.....Petitioner

Through: Mr. Upendra Yadav with Mr. J. P. Singh, Advocates *via* video-conferencing.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastva, APP for the State with SI Rajendra Meena, Anti Narcotics Squad.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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17.09.2024

CRL.M.A. 28025/2024

Exemption allowed, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 3344/2024

By way of the present petition filed under section 483 read with section 528 Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks extension of interim bail granted to him *vide* order dated 21.08.2024, on the ground that though his wife is back home now, she needs rest and physiotherapy, for which his presence is required.

2. Mr. Upendra Yadav, learned counsel appearing for the petitioner submits, that pursuant to order dated 21.08.2024, the petitioner was released from custody on 27.08.2024, whereafter his wife underwent treatment at the Shukla Clinic, Azadpur, New Delhi, as an in-patient. Counsel submits, that thereafter the doctor has opined that the wife suffers from generalised epilepsy; that she had suffered from an



epilepsy attack on 03.09.2024; and that she needs rest with physiotherapy for 03 weeks or till she recovers, also observing that she needs a caretaker.

3. Prescription dated 08.09.2024 to the above effect has been placed on record.
4. Counsel states that the interim bail granted to the petitioner ran-out on 16.09.2024; and that he be granted extension of interim bail for about 02 weeks.
5. Issue notice.
6. Mr. Tarang Srivastva, learned APP appears on behalf of the State on advance copy; accepts notice; and submits, that though they have verified prescription dated 08.09.2024 issued by the attending doctor, it is their contention that the wife's present medical condition does not warrant extension of interim bail, least of all in this case, which involves recovery of a huge quantity of contraband.
7. Mr. Yadav submits, that at the very least the petitioner be given an extension for a short duration, to enable him to settle-in his wife. Counsel further confirms that the petitioner will not seek any further extension on the same ground.
8. Upon a conspectus of the facts and circumstances of the case, and as a measure of abundant indulgence, the interim bail granted to the petitioner *vide* order dated 21.08.2024 is extended for a *further period of 01 week beginning today*, with a clear observation that no further extension will be granted to the petitioner on the same ground.
9. All other conditions of interim bail shall remain as they are.



10. Let a copy of this order be communicated to the Jail Superintendent *forthwith*.
11. Petition stands disposed-of.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 17, 2024
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