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

+ **BAIL APPLN. 141/2025 & CrI.M.A. 909/2025**

NITISH KUMAR SONI

.....Petitioner

Through: **Mr. S.P.Paul & Mr.C.M.
Thapliyal, Advocates**

Versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: **Mr.Shoaib Haider, Additional
Public Prosecutor for Respondent-
State with SI Pradeep**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

13.02.2025

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1. The present Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 / 439 Code of Criminal Procedure, has been filed by the Applicant seeking interim bail for two months in FIR No.413/2020, under Sections 302/201/506/120B/34 IPC and Sections 25/27/54/59 Arms Act, registered at Police Station Mehrauli, New Delhi.

2. *The Applicant has submitted in the Application* that his father has suffered neurological problem in his head due to sudden illness and was taken to Madan Mohan Malviya Hospital, Malviya Nagar, New Delhi, where he was treated but his condition did not improve. He was referred to the Emergency Department of Safdarjung. The Doctors informed the family members that his father has suffered brain hemorrhage and he was taken Emergency Department of AIIMS. On 16.12.2024, his father was referred to the Trauma Centre, AIIMS, however, his condition



deteriorated.

3. It is submitted that since then the medical condition of Applicant's father has deteriorated, the attending doctor informed the Petitioner's family that chances of his improvement were less and advised to take Discharge and take care of him at the residence and give prescribed medicines.

4. The Applicant has pleaded that his family consists of ailing father, mother who is suffering from hypertension, sugar, arthritis and a 15 years old school going brother. There is no one in the family to take care of his ailing father and thus, has sought interim bail for two months to take care of his father.

5. *In the Status Report filed on behalf of Respondent-State* it is averred that the trial of the case has reached the crucial stage where testimony of the prosecution witnesses is pivotal to the administration of justice. There is a reasonable apprehension that if bail is granted to the accused, he may abscond and evade the legal process and grant of bail at this stage will delay the judicial process, as presence of Applicant is crucial for early conclusion of trial of the case.

6. It is also stated that there are three other accused in the present case, who are in judicial custody and out of 20 prosecution witnesses, six witnesses have already been examined. The Applicant is also involved in another FIR case bearing No.71/2019, under Sections 308/195A/34 IPC, registered at Police Station Mehrauli, New Delhi.

7. *In the Second Status Report* it is stated that medical papers of Applicant's father have been verified. His father had fallen on 15.12.2024 and was taken to Madan Mohan Malviya Hospital, Malviya Nagar, New



Delhi and was discharged on the same day. On 07.01.2025, Applicants' father was taken to Jai Prakash Narayan Apex Trauma Centre for treatment and he was discharged on the same day. The medical documents mention that the *patient is diagnosed with soft tissue injury*. It is stated that Applicant has a younger sibling to take care of his father and this Petitioner deserves to be dismissed.

8. **Submissions heard and record perused.**

9. Though in the present Application the Applicant has submitted that his father is suffering from serious neurological ailments, but from the Medical Record it appears that he had fallen and suffered tissue injury, for which he was discharged on the same day from the hospital. In the light of the circumstances, no ground to grant interim bail on Medical grounds of Applicant's father, is made out.

10. The Applications are accordingly dismissed.

NEENA BANSAL KRISHNA, J

FEBRUARY 13, 2025

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