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

+ **BAIL APPLN. 153/2025**

RUPESH

.....Petitioner

Through: Ms. Dolly Sharma, Advocate with
Parokar in person.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for
State.
Insp. Praveen, PS Sunlight Colony,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

28.01.2025

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CRL.M.A. 981/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The Application is disposed of.

BAIL APPLN. 153/2025

3. The present Bail Petition under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking Interim Bail for a period of 60 days in FIR No. 152/2023 under Section 302 of the Indian Penal Code, 1860 registered at Police Station Sunlight Colony.
4. The Interim Bail for a period of 60 days has been sought on the ground that his wife, Smt. Priya, has suffered emotionally and physically on



account of two miscarriages. She has now finally conceived, but the pregnancy is complicated and she is suffering health issues and there is a significant risk to both her life and the unborn child.

5. The wife of the Petitioner is currently living alone without any support or assistance and is facing severe health challenges. There is none to take care of her during this crucial period. The Petitioner's presence is essential to ensure her well-being and to assist her until her Gynaecologist certifies that she is fit to manage on her own. The Petitioner is required for the regular medical checkups of his wife, Priya and to ensure well-being of her and the unborn child.

6. *It is submitted that the Petitioner* had previously been granted Interim Bail *vide* Order dated 06.07.2024 for a period of 7 days and Order dated 30.08.2024 for a period of 15 days, which was further extended for a period of additional 7 days. On each of these occasions, the Petitioner had surrendered on time.

7. It is further submitted that the Petitioner is willing to adhere to any conditions that may be imposed by this Court, while granting Interim Bail.

8. Therefore, the prayer is made that the Interim Bail for a period of 60 days may be granted to the Petitioner.

9. The medical documents *qua* Ms. Priya Singh have been placed on record.

10. *The Status Report* has also been placed on record on behalf of the State.

11. **Learned Additional Public Prosecutor**, on instructions from the Investigating Officer who is present in the Court, submits that on verification, it has been found that the Petitioner was earlier married to one



Shashi and had two daughters, aged 5 and 7 years, the younger daughter being born in August, 2019.

12. It is further submitted that the medical documents of the wife of the Petitioner do not show any such health complication which require immediate attention.

13. Furthermore, the Petitioner has already been released twice on Interim Bail in July and August, 2024.

14. Smt. Priya Singh, who is the Parokar of the Petitioner, in fact, is the second wife of the Petitioner, though there are no documents to show that there was any divorce of the Petitioner from his first wife.

15. **Submissions heard and record perused.**

16. The wife of the Petitioner is in the Second Trimester of pregnancy and there are no documents brought on record showing immediate health complications.

17. There is no ground made out for grant of Interim Bail.

18. Accordingly, the present Bail Application is dismissed.

NEENA BANSAL KRISHNA, J

JANUARY 28, 2025
S.Sharma