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

+ **BAIL APPLN. 479/2025**
SHASHI BHUSHAN SHARMA

.....Petitioner

Through: Mr. Lakshay Joshi, Mr. Sheikh Al
Amiu, Mr. Vaibhav Jain and Mr.
Sagar, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR....Respondents
Through: Ms. Meenakshi Dahiya, APP for the
State with SI Anil, PS Seemapuri.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
04.02.2025

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CRL.M.A. 3469/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

BAIL APPLN. 479/2025

3. Second Bail Application under Section 483 of 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has
been filed on behalf of the Petitioner, Shashi Bhushan Sharma, seeking
interim bail for a period of 15 days in Case FIR No. 0403/2023 under
Section 376D/506 of the Indian Penal Code, 1860 (*hereinafter referred to as*
'IPC') registered at Police Station Seemapuri.
4. It is submitted that the Charge-Sheet under Section 376D/506 of the
IPC, has been filed against the Petitioner on 01.08.2023. He was granted
interim bail to perform last rituals of his mother by learned ASJ *vide* Order



dated 27.12.2024 and was directed to surrender by 28.01.2025. However, he was hospitalised on 23.01.2025 in emergency due to stroke and other medical conditions and he needs to undergo surgery on emergency basis.

5. The Petitioner moved an Application for extension of interim bail by seven days but the same was dismissed by the learned Trial Court on 28.01.2025.

6. It is submitted that the opinion of the Doctor shows that he is diabetic & suffers from OSA (obstructive sleep Apnea). He needs further hospitalisation. If he looks satisfactory, he could be discharged in 10-15 days, according to the surgeon, who operated. It is, therefore, submitted that the further extension of interim Bail be given for 15 days.

7. Learned APP has opposed the further extension of Interim Bail on the ground that the surgery for Laser treatment for varicose vein had been done earlier. The Interim Bail has been granted solely on account of demise of the mother. Even now, as per his own submission, he is a case of diabetes and OSA (obstructive sleep Apnea). There is no ground for further extension of Interim Bail.

8. **Submission heard and the record perused.**

9. The Interim Bail had been granted till 28.01.2025 on the ground of demise of the mother. The Petitioner instead of surrendering on 28.01.2025, had sought an extension by seven days, which in any case, he has availed despite there being no Order extending the Interim Bail. Before the learned ASJ, the extension had been sought for seven days but now in the present Petition it is submitted that further extension of 10-15 days be given for which there is no cogent reason or explanation. Diabetes and OSA are chronic life disease and there is no short cut to its treatment. Moreover, no



medical records are filed which show that any treatment on emergency basis is required to be given to the Petitioner. There is no ground for further extension of Interim Bail.

10. The Petitioner is directed to surrender tomorrow i.e. 05.02.2025, before the concerned Jail Superintendent by 4:00 p.m.

11. The Petition is disposed of accordingly.

12. The Order be communicated to the concerned Jail Superintendent for compliance.

NEENA BANSAL KRISHNA, J

FEBRUARY 4, 2025/RS