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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2104/2025**
DOLLYPetitioner

Through: Ms. Indupal Khokhar, Ms. Neha, Ms.
Simran Khakhar & Ms. Sangita, Adv.

versus

STATE NCT OF DELHIRespondent

Through: Mr. Aman Usman, APP for the State.
SI Aditi, P.S. Burain
Ms. Bahuli Sharma, Adv. for
prosecutrix

CORAM:

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

% **25.06.2025**

1. The present bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the applicant seeking interim bail for 90 days in FIR No. 370/2019 under Sections 363/366/370 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC') and Sections 4/6 of the Protection Of Children from Sexual Offences Act, 2012 (hereinafter referred to as 'POCSO'), registered at Police Station, Burari. Chargesheet has been filed under Sections 363/366/370/376/354A IPC, Sections 4/6 of the POCSO Act and Section 81 of the Juvenile Justice Act, 2015.

2. The learned counsel appearing for the applicant submits that the applicant has one and half year old child who is not keeping well and, therefore, due to this deterioration in the child's medical condition, he was admitted to Deen Dayal Upadhyay Hospital, Delhi, from 10.05.2025 to 13.05.2025. He further submits that the child still remains under medical care and supervision at the said hospital and urges that the applicant is unable to



adequately take care of her ailing child while being in judicial custody, therefore, the petitioner be released on interim bail to provide adequate care to her child.

3. *Per contra*, the learned APP for the State along with the learned counsel for the prosecutrix opposes the present bail application on the ground that there are serious allegations against the applicant. He submits that as per the medical status report received from Jail Authorities, the child is being given proper care and is also undergoing regular follow-ups by the jail visiting Paediatrician and the doctors at Deen Dayal Hospital. He further submits that the applicant, on earlier occasion as well, has also violated the terms of her previous interim bail granted by this Court *vide* Order dated 21.02.2024, by not surrendering on expiry of the said interim bail. He further submits that the applicant failed to appear before the learned Trial Court and subsequently was declared as proclaimed offender. He further submits that there is great apprehension that after release on the interim bail, the applicant may again try to jump bail.

4. Learned counsel for the applicant, in response to the above submission, contends that the applicant was not able to file an application for extension of interim bail and failed to surrender before the jail authorities due to deteriorating medical condition of her child.

5. I have heard the submissions of the learned counsel for the applicant and the learned APP for the State, duly assisted by the learned counsel for the prosecutrix and perused the medical status report dated 21.06.2025.

6. As per the aforestated medical status report, the applicant is lodged in Central Jail-06 along with her one and half year old son. The report further states that on 07.05.2025, the one and half year old child of the applicant was



brought to the dispensary with breath-holding spells and abnormal movements. The report further states that the child was initially treated in the Jail Dispensary and was thereafter referred to Deen Dayal Hospital and was admitted there on 10.05.2025, where he was diagnosed with severe anaemia, and was treated accordingly. The child was discharged on 13.05.2025., and is now under regular follow-ups by the jail visiting Paediatrician and the doctors at Deen Dayal Hospital.

7. Considering the totality of facts and circumstances of the present case as well as the fact that the applicant is in judicial custody since 12.12.2024, the investigation has already been completed, the chargesheet has also been filed by the State, the co-accused are already on bail and the applicant is unable to take adequate care of the child while being in judicial custody, therefore, for the well being of the child, the applicant is granted interim bail for a period of 90 days from the date of her release, on furnishing a personal bond in sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount to the satisfaction of the learned Trial Court and subject to the following conditions:

- i. The applicant shall provide her mobile number to the Investigating Officer(IO)/SHO concerned at the time of release, which shall be kept operative at all times during the period of interim bail;
- ii. In case of change of address and/or mobile number, the applicant shall intimate/communicate the same to the IO/SHO concerned;
- iii. The applicant shall commit no offence whatsoever during the period of her interim bail;
- iv. The applicant shall not tamper with evidence nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons



- acquainted with the facts of case; and
- v. The applicant shall not leave the NCT of Delhi without prior permission of the Court.
8. Application is accordingly disposed of in the aforesaid terms.
9. A copy of this Order be sent to the Jail Superintendent for information and compliance.

RENU BHATNAGAR, J
(VACATION JUDGE)

JUNE 25, 2025

p/kz

Click here to check corrigendum, if any