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

+ **BAIL APPLN. 316/2026**

**SUNIL ALIAS KALKA**

.....Petitioner

Through: **Mr. Jitender Tyagi, Advocate.**

versus

**STATE OF NCT GOVT. OF NCT OF DELHI**

.....Respondent

Through: **Mr. Ajay Vikram Singh, APP with  
SI Rahul Rathi, P.S. Sangam  
Vihar.**

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **19.02.2026**

**CRL.M.A. 2555/2026 (for exemption)**

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

**BAIL APPLN. 316/2026**

1. By way of the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [corresponding to Section 439 of the Code of Criminal Procedure, 1973], the applicant seeks interim bail in connection with FIR No. 734/2022 dated 01.11.2022, registered at Police Station Sangam Vihar, District South, New Delhi, for offences punishable under Sections 307/34 of the Indian Penal Code, 1860, read with Sections 25/27 of the Arms Act, 1959, on the ground of prospective surgery of his wife, who is suffering from gall bladder stone.

2. By order dated 27.01.2026, it was directed as follows:



*“4. Issue notice. Ms. Priyanka Dalai, learned Additional Public Prosecutor, accepts notice on behalf of the State.*

*5. Certain medical documents have been handed over in the Court today, and the same are taken on record. The Investigating Officer is directed to verify the factum and the documents, and file a status report thereto, within a period of three days from today.”*

3. The medical documents were thereafter verified by the Investigating Officer [“IO”] from the Department of General Surgery, Atal Bihari Vajpayee Institute of Medical Sciences and Dr. Ram Manohar Lohia Hospital, New Delhi, which confirm that the applicant’s wife is suffering from gall bladder stone and requires surgery. As no date of surgery had yet been fixed, by order dated 10.02.2026, time was granted to the applicant’s wife to set up a surgery date, and inform the IO for verification.

4. A status report has been handed over by Mr. Ajay Vikram Singh, learned Additional Public Prosecutor, today, stating therein that the medical documents of the applicant’s wife have been verified with the hospital. Her surgery is fixed for 27.02.2026, for which she is required to be admitted on 25.02.2026. The status report is taken on record.

5. Mr. Singh, however, refers to the reply to the bail application filed by the IO before the Sessions Court, which states that the applicant has four close family members, being his father, mother, brother, and an unmarried sister. It is further stated that his wife can also avail the support of her parents, three brothers, and two sisters. The document, however, also clarifies that the applicant’s wife and two children are residing separately in a rented accommodation in the same locality as the applicant’s family.



6. Having regard to the material placed on record, particularly the verified documents relating to surgery of the applicant's wife, I am of the view that a limited period of interim bail ought to be granted to the applicant to enable him to attend to his wife and children [aged 11 years and 9 years] during this period.

7. It is, therefore, directed that the applicant be released on bail, in connection with the subject FIR, from 24.02.2026 until 04.03.2026, subject to his furnishing a personal bond in the sum of Rs. 15,000/-, with one surety in the like amount, to the satisfaction of the concerned Trial Court/Metropolitan Magistrate/Jail Superintendent, and subject to the following further conditions:

- a. The applicant shall furnish his mobile number to the IO/Station House Officer ["SHO"], and shall keep the said mobile phone operational and switched on at all times. The mobile number shall not be changed or switched off without prior intimation to the IO/SHO.
- b. The applicant shall provide his residential address to the IO/SHO, and shall remain resident either at the said address or at Atal Bihari Vajpayee Institute of Medical Sciences and Dr. Ram Manohar Lohia Hospital, New Delhi, and at no other place.
- c. The applicant shall not contact the complainant or any other witness. He shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts of the case, nor shall he tamper with the evidence or attempt to influence any witness in any manner whatsoever.
- d. The applicant shall not commit any offence during the period of his



release.

- e. I am informed that the next date of hearing before the learned Trial Court is 27.02.2026. Mr. Jitender Tyagi, learned counsel for the applicant, states that the applicant will appear through video conference on that day. He will be represented by his counsel on that day, who will complete the necessary formalities.
8. The application stands disposed of in the aforesaid terms.
9. A copy of this order be communicated to the concerned Jail Superintendent for necessary information and compliance.

**PRATEEK JALAN, J**

**FEBRUARY 19, 2026**

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