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

\# **CNR No. DLHC010518272026**

\+ BAIL APPLN. 4599/2026 & CRL.M.A. 33853/2026, CRL.M.A. 33854/2026

MAHAVIR .....Petitioner

Through: Mohd Arif, Advocate with Mr. Sanjay Raghav, Advocate.
(M): 9953820110
Email: ariflegalservices@gmail.com

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Nawal Kishore Jha, APP for the State.
(M): 9968257999
Email: nawalkishorejha@live.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 05.11.2026

1. The present 06th (sixth) application has been filed under Section 528 of the Bharatiya Nyaya Suraksha Sanhita, 2023 ("BNSS"), on behalf of the petitioner, i.e., Mahavir S/o Ram Narayan, seeking interim bail for a period of 25 (twenty-five) days in connection with the First Information Report ("FIR"), being *FIR No. 209/225*, dated 17th May, 2025, registered at Police Station ("PS") New Friends Colony, South East District, under Sections 137(2)/70(2)/87 of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), and Section 6 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO

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Act").

2. Learned counsel appearing for the petitioner submits that the wife of the petitioner has been suffering from severe gynaecological complications and has been medically advised to undergo an urgent and necessary surgical intervention, namely, myomectomy for removal of solid uterine fibroids.

3. He submits that the petitioner had earlier been granted interim bail for a period of 15 (fifteen) days on 03rd August, 2026, by the Additional Sessions Judge-01, South East, Saket Courts, New Delhi, in *Bail Matters 2088/2026*.

4. He further submits that the petitioner was released on 10th August, 2026, and upon expiry of the interim bail period, the petitioner duly surrendered before the Jail Superintendent, Central Jail, Tihar, New Delhi.

5. Thus, the present application has been filed on humanitarian and compassionate grounds in view of the medical condition of the wife of the petitioner, who has been advised to undergo an urgent and necessary surgery scheduled for today, i.e., 05th November, 2026.

6. Pursuant to the directions of this Court, a Status Report dated 04th November, 2026, has been handed over by learned Additional Public Prosecutor ("APP") appearing for the State, which is taken on record.

7. Learned APP appearing for the State submits that the medical condition of the wife of the petitioner has been verified, and confirms the fact that she has to undergo surgery today, i.e., 05th November, 2026.

8. He further confirms the fact that as per the prescription provided by the doctor, the wife of the petitioner will require a minimum recovery period of 03 (three) weeks.

9. Having heard learned counsels appearing for the parties, this Court notes that the medical condition of the wife of the petitioner, and her

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upcoming surgery, stand verified by the State.

10. Accordingly, in view of the medical condition of the wife of the petitioner, the present application is allowed and the petitioner is granted interim bail for a period of 04 (four) weeks from the date of his release in the proceedings arising out of *FIR No. 209/225*, dated 17th May, 2025, registered at PS New Friends Colony, South East District, under Sections 137(2)/70(2)/87 of the BNS, and Section 6 of the POCSO Act, subject to the following conditions:

I. The petitioner shall furnish a personal bond in the sum of Rs. 10,000/- (Rupees Thirty Thousand only), with one surety in the like amount, to the satisfaction of the learned Trial Court/Duty Magistrate;

II. The petitioner shall furnish his mobile number to the concerned Investigating Officer ("IO")/Station House Officer ("SHO"), and ensure that the said mobile number remains operational and switched on at all times. The mobile number shall not be changed, nor shall the mobile phone be switched off, without prior intimation to the IO/SHO.

III. The petitioner shall not leave the National Capital Territory ("NCT") of Delhi without prior permission of the Trial Court and shall ordinarily reside at his address as per the prison records;

IV. The petitioner shall not contact, visit, offer any inducement, threat, promise, or attempt to influence the complainant/victim or any other prosecution witnesses or persons acquainted with the facts of the case.

V. The petitioner shall not tamper with the evidence nor otherwise indulge in any act or omission that is unlawful that would prejudice the proceedings in the pending trial.

VI. In case the petitioner violates any of the conditions, the same shall be

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brought to the notice of this Court by the learned APP, which shall result in cancellation of the interim bail granted to the petitioner.

VII. Upon expiry of the period of 04 (four) weeks of interim bail from the date of his release, the petitioner shall surrender before the concerned Jail Superintendent on or before 4:00 PM of the said date.

11. With the aforesaid directions, the present application is accordingly allowed and disposed of.

12. Copy of the order be communicated to the concerned Jail Superintendent as well as the Trial Court for information and necessary compliance.

MINI PUSHKARNA, J

NOVEMBER 5, 2026
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