

FIR No. 32/2019

PS: Prasad Nagar

State Vs. Kamal Kishore

U/s 302/323/341/147/148/149 IPC and 25 Arms Act

17.08.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing).

Sh. Vineet Jain, Counsel for accused-applicant
(through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of extension of interim bail on behalf of accused Kamal Kishore in case FIR No. 32/2019.

Arguments Heard. For orders put up at 4.00pm

AT 4.00 PM

Present : None

At the time of passing of orders it emerges that certain clarifications are required. For OOrders/Clarifications put up on tomorrow.


(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi
17.08.2020

FIR No. 209/2017

PS: Karol Bagh

State Vs. Madan

U/s 380/392/395/397/482/452/419/120B/34 IPC

17.08.2020

ORDER

This is an application under Section 439 CrPC for grant of interim bail for a period of one month on behalf of the accused-applicant Madan in case FIR No. 209/2017 on the ground of illness of his mother.

Ld. counsel for the accused-applicant has contended that the accused /applicant has been arrested on 06.08.2017 from his house and that it is falsely alleged that he is arrested from near Saint Xavier School, Shahbad Dairy, Delhi and since then he is languishing in J.C. That the trial is at the stage of prosecution evidence. That previous application for interim bail was dismissed as withdrawn. That accused applicant's mother's physical condition is deteriorating day by day as she is struggling with several health issues on account of her old age about 65 yrs. Old. That accused/ applicant's mother is under treatment for cataract eye disease and she has to be operated upon and the surgery is possible only after the release of accused/applicant on interim bail as she is widow and one younger son is not cooperating her and residing separately outside Delhi. That co accused Harbans and Neeraj have been granted bail.

Ld. Addl. PP submits that it has been verified that the mother of the accused is to be admitted for test and for the treatment of her eye problem and that mother of the accused-applicant is living al alone and

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there is no other family member living with her to take care of her.

Heard.

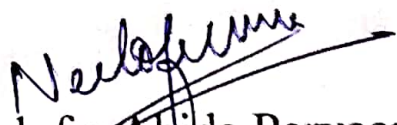
Alongwith the application there is annexed one OPD prescription slip issued by Fortis Hospital Gurugram, in the name of the mother of the accused-applicant. It emerges that the mother of the accused applicant on 2.7.2020 visited the Ophthalmology department of Fortis Hospital on complaint of blurred vision and has been advised to be admitted in the hospital for investigative procedures and possible treatment and it is submitted that she could not be got admitted as there is no other family member coming forward to take her to the hospital and get her admitted in the hospital and to attend to her. Report was called for regarding the family status and medical condition of the mother of the accused-applicant and as per report, Mrs. Santosh Age-64 years, mother of accused-applicant is residing alone and as per the statement by Mrs. Santosh her two sons namely Shakti and Santosh lived somewhere else. It has further been verified from the Consultant Doctor concerned that admission of mother of accused-applicant is necessary for investigations and need for surgery, if any, would be decided after the reports of investigation are seen.

In such facts and circumstances of the case and in view of the fact that mother of the accused-applicant is living alone with the handicap of diminished vision with no one to take care of her and get her admitted in the hospital as per medical advice, accused-applicant Madan is granted interim bail of 5 days for the treatment of his Mother, **in the present case**

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upon furnishing personal bond in the sum of Rs.50,000/- with two sound sureties in the like amount to the satisfaction of the Court/Duty MM and subject to the condition that accused-applicant shall deposit his passport if he holds one with the IO and that during the period of interim bail he shall not in any manner threaten/ influence the witnesses in this case or tamper with the evidence or interfere with the course of justice in any manner whatsoever, and shall furnish his mobile phone number to the IO and shall ensure that the mobile phone number remains throughout on switched on mode with location activated and shared with the IO. That the accused-applicant shall not leave the territorial limits of NCT Delhi without prior permission of this Court and Accused shall not enter within the radius of 1 km of the area in which complainant is residing.

Accused-applicant shall surrender on expiry of the period of interim bail.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
17.08.2020