

**IN THE COURT OF SH. VINOD KUMAR
ADDITIONAL SESSIONS JUDGE (CENTRAL): DELHI**

FIR No. 823/2015
SC No. 13/2016
CIS No. 28027/2016
PS Kotwali
State Vs. Rajesh @ Marry
U/s 395/397/506/120B/412/34 IPC

28.03.2017

Present: Sh. Ghanshyam Srivastava, Ld. Addl. PP for the State.
A1 from JC with Sh. Amit Puniyal, proxy counsel for Sh. Sunil Prasad, advocate.
A2 from JC.
A3 and A4 from JC with Sh. Vishal Chaudhary, advocate.
A5 from JC with Sh. Abhishek Sharma, advocate.
A6 on bail.
A7 from JC.

Sh. Vishal Chaudhary, advocate files Vakalatnama on behalf of A3 and A4. Same is taken on record.

PW SI Abdul Qadir is present from Crime Branch. However, complainant is not present despite service and despite waiting till 12:00 Noon. Ld. Addl. PP submits that before examining the witnesses, certain clarification is required from the Investigating Officer in respect of seizure memo made by SI Abdul Qadir.

Let IO be summoned for 01.04.2017.

At this stage, Sh. Vishal Chaudhary, advocate for accused Virender (A3) pressed the application for grant of interim bail for two months, submitting that his wife is suffering from high blood pressure, thyroid problem, arthritis and other various problems and that he is two school going children. It is submitted that there is no one to look after these children because the wife of the applicant who is around 23 years old is only a housewife and is suffering from various problems and that she cannot arrange school fees of children. It is

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stated that school fees has not been submitted for last 2-3 months. Further, it is submitted that father of the accused had already passed away and that mother of the accused is a patient of blood sugar. It is therefore submitted that accused Virender should be granted interim bail for two months to take care of his family and for arranging the fees of his children.

Ld. Addl. PP submits that the illness of the mother and wife of the applicant are normal illness and that so far as depositing the school fees of the children is concerned, it is not stated by the applicant as to how he will arrange school fees of the children. Ld. Addl. PP further submits that the applicant does not have any regular job and possibility of his repeating the offence cannot be ruled out. Ld. Addl. PP submits that chances of applicant of threatening the complainant while on interim bail are also high.

I have considered the submissions.

The interim bail should be granted only in extreme cases. Whenever the accused is in jail, it is natural that his dependents do suffer financially and socially. Therefore, I do not find a strong ground to admit the applicant to interim bail especially when he is charged with the offences under section 395/397 IPC. Accordingly, the present application for granting interim bail is hereby dismissed.

Additional Sessions Judge, Central,
28.03.2017

V