

IA No. 60/2023
State Vs. Kamaljeet @ Bittu
SC No. 144/2019
FIR No. 37/2019
PS: Dayalpur
U/s: 302/120-B/34 of IPC

24.03.2023

Present: Sh. Manish Kumar Singh, Ld. Counsel for the applicant/accused Kamaljeet @ Bittu.
Sh. Sukhbeer Singh, Ld. Addl. PP for the State.
Insp. Karamveer Singh, the deputed IO.

1. The matter is fixed for hearing arguments on the application for grant of interim bail for 90 days filed by the applicant/accused Kamaljeet @ Bittu.

2. I have heard the ld. Counsels for the parties.

3. Sh. Manish Kumar Singh, the ld. Counsel for the applicant/accused has submitted that this applicant/accused is a heart patient and his heart is abnormal and it is functioning less than 15% to 20%. He has also submitted that his condition is serious and he is desirous to install the pace maker and submitted that he may be granted interim bail for a period of 90 days, so that he may get better treatment, after coming out on interim bail and also submitted that this applicant/accused will abide all the directions and conditions which may be imposed on him by this court and he will never seek extension of interim bail, after grant of the interim bail. He has also submitted that he will not temper with the prosecution evidence in any manner and prayed for grant of interim bail for a period of 90 days.

4. On the other hand, Sh. Sukhbeer Singh, the Id. Addl. PP for the State has submitted that this accused has committed heinous offences and chargesheet has been filed u/s. 302/120-B/34 of IPC against this accused, but, as the condition of this accused is stated serious in the report of the Senior Medical Officer, Central Jail Hospital, Central Jail No. 13, Mandoli, Delhi, so, his presence in the court may be ensured, prior to granting interim bail to this applicant/accused that too for a short period i.e. less than 90 days.

5. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

6. No doubt, in the case in hand, the chargesheet against this applicant/accused has been filed u/s. 302/120-B/34 of IPC, as, the Ld. Counsel for the applicant/accused has submitted the applicant/accused is a heart patient and his condition is very serious and submitted that for the purpose of installation of the pace maker, he is desirous to get the interim bail, so, taking into consideration the serious condition, as, mentioned in the report of the Senior Medical Officer, Central Jail Hospital, Central Jail No. 13, Mandoli, Delhi and since, this accused has also been granted interim bail for a period of 60 days by another court, so, **this applicant/accused Kamaljeet @ Bittu is ordered to be released on interim bail for a period of 60 days from the date of his release**, on furnishing personal bond in the sum of Rs.50,000/- with one surety in the like amount, subject to

condition that he will not indulge in any other criminal activity in future and he will not try to contact any of the prosecution witnesses. He will not temper with the evidence of the prosecution in any manner and he will not leave the territory of Delhi and he will mark his presence in the concerned police station on every Monday of English calendar between 3:00 PM to 4:00 PM during the period of interim bail and in case, he will remain admitted in the hospital on any Monday, he is exempted from this condition, but, he is directed to inform to the SHO of concerned police station, if he would be there in the hospital. Police will co-operate him in marking his presence and in case, this applicant/accused will violate any condition, the prosecution will be at liberty to file application for cancellation of interim bail of this accused. In the above said terms, **the application for grant of interim bail filed by applicant/accused Kamaljeet @ Bittu stands allowed for a period of 60 days. He is directed to surrender in the court, on the expiry of 60th day from the day of his release. Copy of order be provided to the parties, as, Dasti. The attested copy of this order be sent to the Superintendent of Central Jail, Tihar for supplying the same to this accused. The attested copy of this order be also sent to the SHO of the concerned police station for compliance.**

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/24.03.2023