

IA No. 2/2024 in SC 283/2018
STATE Vs. Balram @ Ballar
FIR No. 75/2018
PS Narela
U/s 302/365/201/34 IPC

11.01.2024

This is an application under Section 439 Cr.P.C. for grant of interim bail moved on behalf of applicant/accused Balram @ Ballar, on the medical ground of his father.

Present:- Mr. Girish Giri, Ld. Substitute Additional PP for the State.

Mr. Gaurav Vats, Ld. Counsel for applicant/accused.

Mr. Vaibhav, Ld. Counsel for complainant.

Verification report filed by the IO. Copy supplied.

Arguments heard.

The present application seeking interim bail has been moved on behalf of applicant/accused on the medical grounds of his father.

From the report filed by IO, it transpires from the medical documents of Dr. Rakesh Golbal Hospital, father of the applicant namely Mahender had visited the OPD on 08.12.2023 with complain of knee pain and asked to undergo X-ray but he refused the same and demanded just consultation slip with prescribed medicines, however, as per report of the IO, the patient neither turned up again for follow up nor undergone any investigation. Thereafter, patient visited Delhi Hospital on 11.05.2023 with complain of cough, cold and vertigo, however, as per report of the IO, the patient was not suffering from any disease for which surgery was required. Thereafter, father of

applicant visited Arya Eye Hospital, however, as per report of IO, the doctor verified the medical documents but no further comment has been made.

Allegations levelled against the applicant/accused under Section 302/365/201/34 IPC. There must be other family members who can take care of the ailing father. As such, no imminent surgery suggested by any of the doctors.

Seeing the totality of facts and circumstances, the gravity of the offence and the report of IO, no ground for interim bail is made out at this stage. The present application stands disposed off being **dismissed**.

Accused is directed to surrender within a day from today. Let surrender report be called from the concerned Jail Superintendent for the next date of hearing in the main case i.e. 15.01.2024.

It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.

Copy of the order be given *dasti* to the Ld. Counsel for the parties as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(Shefali Sharma)
Addl. Sessions Judge-02(North)
Rohini Courts / Delhi. 11.01.2024