

SC 110/2023
STATE Vs. HEMANT GUPTA @ HEMU ETC (2)
FIR No. 634/2022
PS Swaroop Nagar
U/s.302/34 IPC & U/s. 25/27 Arms Act

16.09.2025

File taken up today on an application U/s. 439 Cr. P. C
for grant of interim bail moved on behalf of applicant/accused

Lokesh Kumar

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
IO / Retired SI Ramesh Chandra in person.
Sh. Sahil Malik, Ld. Counsel for Complainant.
All four accused persons namely Deepak, Hemant,
Viresh and Sidharth in person on bail.
Sh. Anuj Arya, Ld. Counsel for accused Sidharth.

Ld. Counsel for applicant/accused submits that wife of applicant/accused is suffering from severe back pain and numbness in the lower and upper limb and have swelling also and doctor advised the applicant/accused's wife immediate surgery. It is further submitted that medical documents of wife of applicant/accused is also annexed with the application. It is prayed that above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is argued that the doctor who has given the date for spinal disc surgery on 20.09.2025 is not competent for giving opinion of surgery without specific note/opinion of any orthopedic surgeon or neurosurgeon in this regard. It is prayed that present interim bail application may kindly be dismissed.

Dr. Ajit Singh from Novacare Hospital is present and stated that patient Monika came to his hospital with spinal injury and after examination she was advised spinal surgery. He further stated that facility of surgery is available in his hospital and the concerned doctors for conducting the surgery are called at the request of the patient and that date of surgery has been fixed after consultation with surgeon.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

As per the medical documents as well as submissions of Ld. Counsel for applicant/accused, wife of applicant/accused has been advised to undergo spinal surgery which is scheduled for 20.09.2025 therefore, on humanitarian ground **interim bail of applicant/accused Lokesh Kumar is allowed for a period of one week (from the date of release) on furnishing personal bond in the sum of Rs. 25,000/- each with two sureties in the like amount subject to the satisfaction of the following conditions:-**

- (i) Applicant/accused is directed to surrender before the concerned Jail Superintendent after the expiry of interim bail.
- (ii) Applicant/accused is further directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime.

In case, it is prima facie brought to the notice of the court that the applicant/accused is violating the said conditions, the interim bail granted to him shall be liable to be canceled.

Applicant/accused Lokesh Kumar is directed to surrender before the concerned Jail Superintendent after completing of interim

bail.

The present application is disposed off accordingly. Present application file be tagged with the main case file. **Copy of the order be sent to concerned Jail Superintendent. Copy of this order be given dasti.**

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
16.09.2025