

IA No. 08/2023 SC 181/2022
STATE Vs. HUKUMCHAND@MONU
FIR NO. 873 /2021
PS S.P. Badli
U/s 302/34 IPC

20.11.2023

This is the bail application under Section 439 Cr.P.C for extension of interim bail moved on behalf of the applicant/accused Hukumchand @ Monu.

Present: Mr. Harviner Nar, Ld. Addl. PP for the State.

Mr. Sarthak Tomar, ld. Counsel for applicant/accused.

1. Ld. Counsel for applicant/accused has argued that he is seeking extension of interim bail of the applicant on his medical grounds. It is further submitted that applicant/accused will not flout any terms and conditions, if so imposed. It is prayed that a lenient view be taken.

2. Ld. Addl. PP for the State has strongly opposed the interim bail application stating that applicant/accused should not be granted interim bail owing to the gravity of the offence.

3. I have heard the submissions made by the Ld. Addl. PP for the State and Ld. counsel for the applicant/accused.

4. The present application is for extension of interim bail on the grounds that applicant/accused has to undergo facial palsy surgery. As per the verification report filed by the IO, medical documents have been duly verified from government hospital i.e. Dr.BSA Hospital endorsement by the concerned doctor that patient is suffering from facial palsy, although, a specific date of surgery has not been mentioned and he has been referred to Anesthetic check up. There is nothing to suggest that accused has misused the liberty granted, while on the period of interim bail.

5. Taking a lenient view on humanitarian ground, interim bail granted to the applicant/accused **Hukumchand @ Monu vide orders dated 08.08.2023 is further extended for a period of 30 days from today on the same terms and conditions.**

The accused shall surrender himself before the concerned Jail Authorities after expiry of period of interim bail.

Application is disposed off accordingly.

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

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

(Shefali Sharma)
ASJ-02/North District
Rohini Courts/Delhi/20.11.2023