

IA. No. 30/2023 in SC No. 383/2018
STATE Vs. Sunit Dutt @ Anne etc
FIR No. 133/2018
P.S. Narela
U/s 302/307/201/120B/34 IPC & 25/27 Arms Act

31.01.2024

This is the bail application under Section 439 Cr.P.C for grant of interim bail moved on behalf of the applicant/accused Sunil Dutt @ Anne on the medical ground of his wife.

Present: Mr. Nishant Kumar, Ld. Additional PP for the State.

Mr. Vaibhav Jindal, Ld. Counsel for the applicant/accused.

Verification report to the interim bail application filed by SI Sunil Tokas. Copy supplied.

Arguments heard. Record perused.

1. Ld. Counsel for applicant/accused has argued that the present application is seeking interim bail of the applicant on the medical ground of his wife as she has to undergo Laparoscopic Assisted Vaginal Hysterectomy (LAVH) on 02.02.2024 and there is no one to look after them. It is submitted that applicant/accused will not flout any terms and conditions, if so imposed. It is prayed that a lenient view be taken on humanitarian ground.

2. Ld. Addl. PP for the State has strongly opposed the bail application stating that applicant/accused should not be granted bail owing to the gravity of the offence and the active role played by the applicant in the commission of the crime.

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

4. The medical documents of the ill health of the wife of the applicant have been verified by IO which are found to be genuine. There is no one to look after the wife of applicant/accused.

5. Seeing the facts and circumstances, owing to the medical condition of wife of the applicant/accused which stands verified by IO, taking a lenient view on humanitarian ground, **applicant/accused Sunil Dutt @ Anne is granted interim bail, for the specific ground mentioned in the application, for a period of 15 days from the date of release on furnishing of bail bond for a sum of Rs.25,000/- with one surety of the like amount, to the satisfaction of the Court/Duty MM/Area MM** but subject to the following conditions:

- (a) The applicant/accused shall not try to contact or influence the witnesses in any manner, directly or indirectly.
- (b) The accused shall not indulge into similar offence in the event of release on bail.
- (c) The accused shall not tamper with the evidence.
- (d) The accused shall provide his mobile number to the concerned SHO, on which he may be contacted, if required as per law and shall ensure that the said number be kept active and switched on all the time.
- (e) The accused shall surrender himself before the concerned Jail Authorities after expiry the period of interim bail.

Application is disposed off accordingly.

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

6. 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/31.01.2024