

CNR No. DLNT01-006175-2023
SC No.335/2023
State Vs. Deepak Kumar @ Dharmender & Anr.
FIR No.391/2023
PS: Mahendra Park
U/s 393/394/398/34 IPC & 25/27 of Arms Act

19.11.2024

Present : Ms. Monika Aggarwal, Ld. Addl. PP (substitute) for
State.

Both accused produced from J/C.

Sh. Saurav Pawar, proxy counsel for Sh. Yogesh Pandey,
Ld. Counsel for accused Raja.

Sh. Vikram Singh, Ld. Counsel for accused Deepak @
Dharmender (through VC).

Proxy counsel submits that the main counsel Sh. Yogesh
Pandey is not in a position to appear today due to illness.

PW1 Mohd. Faiyaz partly examined in chief and his
further examination in chief is deferred for want of case property, for
the next date of hearing.

It is stated that the motorcycle Apache i.e. one of the case
property in this case, is on superdari.

SHO concerned is directed to bring the photographs of
the said Apache motorcycle, on the next date of hearing.

Ld. Counsel for the accused Deepak @ Dharmender
submits that he will be appearing physically for arguments on interim
bail application before the court and seeks pass over for one hour.

Be awaited for counsel for arguments on interim bail
application today at 11.00 am.

(VINAY KUMAR KHANNA)
Principal District & Sessions Judge (North)
Rohini Courts, Delhi/19.11.2024

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19.11.2024 (At 12.30 pm)

Present : Ms. Monika Aggarwal, Ld. Addl. PP (substitute) for
the State.

Both accused produced from J/C.

Sh. Vikram Singh, Ld. Counsel for accused Deepak @
Dharmender.

In compliance of order dt. 11.11.2024 of this court, letter
/ reply of Superintendent of prison, Central Jail No. 03, Tihar Jail
along with report of Senior Medical Officer, Central Jail Hospital
received.

Submissions heard on the application for grant of interim
bail to the applicant /accused Deepak @ Dharmender for a period of
six weeks.

Ld. Counsel for the applicant / accused has argued that
right knee of the applicant / accused has started filling with puss and
the medical treatment from Tihar Jail is not sufficient and proper due to
which the condition of the applicant started deteriorating.

Per contra, Ld. Addl. PP (substitute) for the State has
argued that medical treatment to the applicant / accused is being given
from DDU Hospital and further the offence committed by the
applicant/accused is serious in nature and the same was committed
with a deadly weapon i.e. pistol, used by the accused, hence, the
applicant/accused does not deserve the interim bail.

Contd.../-

As per the report of Senior Medical Officer, Central Jail Hospital, the inmate / patients is a follow-up of old fracture right proximal tibia shaft with implant in situ (ORIF with plating tibia) in 2017. Further, no document available with the complainant of pus discharge with pain and swelling over right leg. The report further mentions that applicant / accused is under treatment from Orthopedics department of DDU hospital and jail dispensary. The applicant / accused was examined on many dates as mentioned in the said report and at present general condition of inmate / applicant is stable and he is being provided all prescribed medicines from jail dispensary.

Keeping in view the report of the Medical Officer, Central Jail Hospital, Central Jail No. 03, Tihar, the gravity, nature and seriousness of offence, no ground is made out to grant interim bail for a period of six weeks to the accused Deepak Kumar @ Dharmender, at this stage. Accordingly, interim bail application stands **dismissed**.

Matter be listed for PE on **04.02.2025**. PW1 Mohd. Faiyaz along with IO and MHC(M) be summoned for the next date of hearing. Case properties also be produced on the next date of hearing.

(VINAY KUMAR KHANNA)
Principal District & Sessions Judge (North)
Rohini Courts, Delhi/19.11.2024