

SC 436/2021  
STATE Vs. SUSHIL KUMAR ETC (13)  
FIR No.218 /2021  
PS Crime Branch-North Delhi  
U/s: 302/307/308/364/365/452/323/342/188/  
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34 IPC  
U/s 25(1)(B)/27(1)Arms Act

**01.08.2023**

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

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.  
Ms. Ishu Sharma, Ld. counsel for complainant.  
Sh. R. S. Malik, Sh. Sumeet Shokeen and Sh. Sahil  
Lakra, Ld. counsel for applicant/accused.  
ACP Dinesh Kumar in person.

Reply to the above said application has already been received from the IO.

Ld. counsel for applicant/accused submitted that vide order dated 19.07.2023, this Hon'ble Court had granted the interim bail to applicant/accused on the ground of surgery for partial ACL tear right knee. It is further submitted by Ld. counsel for applicant/accused Sushil Kumar that surgery of applicant/accused could not be conducted due to non-clearance from Psychiatric Department. It is further submitted that applicant/accused is still admitted in the hospital and is under observation and his surgery has been scheduled for 03<sup>rd</sup> August, 2023. It is further submitted that he has filed the medical document/certificate from BLK-Max Hospital. It is prayed that the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State and Ld. counsel for complainant strongly opposed the bail application and

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submitted that allegations against the applicant/accused are serious in nature. It is further submitted that if bail is extended to applicant/accused, there are chances he may threaten the witnesses. It is prayed that the above said application may kindly be dismissed.

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

It is pertinent to mention that vide order dated 19.07.2023, this Court had granted the interim bail to applicant/accused Sushil Kumar on the ground of his surgery for partial ACL tear right knee. However, now it has been informed that surgery of applicant/accused could not be conducted due to non-clearance from Psychiatric Department and that applicant/accused is still admitted in the hospital and is under observation. It is also informed that now his surgery has been scheduled for 03<sup>rd</sup> August, 2023. Relevant medical documents have been filed in this respect. Therefore, keeping in view the fact that applicant/accused is suffering from partial ACL tear right knee and he needs elective surgery for the same and also considering the fact that his surgery has now been scheduled for 03.08.2023, therefore, **the interim bail of applicant/accused Sushil Kumar is extended only for one week i.e. till 08.08.2023**, on the same terms and conditions vide order dated 19.07.2023. **A Copy of this order be sent to**

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**concerned Jail Superintendent for information and be given dasti to Ld. counsel for applicant.**

At this stage, ACP Dinesh Kumar, 3<sup>rd</sup> Battalion, DAP, Delhi has filed a request letter with the request to bound down of applicant/accused Sushil Kumar during the period of his interim bail . It is informed that several people are visiting at BLK Hospital to meet the applicant/accused and it is very difficult for the staff/police officials/security personnel to manage/keep an eye on all the people as there are threats to his life from the rival gangs as well as there may be chances of security lapse due to gathering of so many people, who are coming to meet applicant/accused in the hospital. Some photographs have also been annexed with the request letter which shows that applicant/accused is socializing in hospital during the period of his interim bail. It is made clear that the interim bail vide order dated 19.07.2023 was granted to applicant/accused only for the limited purpose of knee surgery, which could not be conducted on 26.07.2023 and which is now scheduled for 03.08.2023. Therefore, from now applicant/accused is allowed to meet his family members including his wife, children, parents and real brothers & sisters only during the period of his interim bail till 08.08.2023. It is made clear that adverse view shall be taken if any of the above condition is not strictly adhered by applicant/accused and his interim bail may be cancelled on the same ground.

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Dasti copy of this order be also given to ACP Dinesh Kumar, 3<sup>rd</sup> Battalion DAP, Delhi for information and compliance.

**(Sushil Kumar)**  
**Addl. Sessions Judge- 04**  
**North District Rohini Courts Delhi**  
**01.08.2023**