

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

19.07.2025

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

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Sh. Sumit Shokeen, Ld. Counsel for applicant/accused.

Verification report with respect to the medical documents and family details of accused Subhash has been received from IO/Inspector Mangesh Tyagi. Same is taken on record. Copy of the same supplied to Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that applicant/accused is suffering from severe pain in his left knee from last 7-8 months and there is no sight of relief in the pain despite being given medicines/tablets by the jail officials. It is further submitted that applicant/accused was taken for treatment at RML Hospital and the surgery of the applicant/accused is scheduled for 18.10.2025 at RML Hospital and applicant/accused has been directed to be admitted on 17.10.2025. It is further submitted that applicant/accused wishes to get his knee surgery done from a private hospital at any early date in order to cure the pain in as much as the same is not possible for atleast next three months. It is prayed that above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the

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applicant/accused are serious in nature. 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 and has also perused the record placed before the same.

Briefly stated, the present FIR bearing no. 218/2021 has been registered at PS Model Town U/s: 302/ 307/ 308/ 364/ 365/ 452/ 323/342/188/269/147/148/149/506(II)/392/394/397/411/201/109/120 B/34 IPC & U/s 25(1)(B)/27(1)Arms Act. As per submissions made by Ld. Counsel for applicant/accused **Subhash**, applicant/accused has been advised for surgery by doctors of RML Hospital which is scheduled for 18.10.2025. Report was called from IO concerned, wherein clarification was sought as to whether surgery can be preponed. As per the verification report filed by IO, the earlier date can be given in next month around 20th August, therefore, on humanitarian ground **interim bail of applicant/accused Subhash is allowed for two weeks (from the date of release) on furnishing personal bond in the sum of Rs. 30,000/- with two sureties in the like amount subject to the satisfaction of thee 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

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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 Shubhash is directed to surrender before the concerned Jail Superintendent after completing of interim bail.

It is made clear that the applicant/accused Subhash shall immediately surrender before Jail Authorities, if his surgery is not get conducted within the period of two weeks from the date of his release.

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
19.07.2025