

SC 865/2022
STATE Vs. SHIVAM @ MODA AND ANR. (2)
FIR No. 596 /2022
PS Adarsh Nagar
U/s. 302/34 IPC

29.08.2023

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

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Sh. Sarthak Tomar, Ld. counsel for applicant/accused.
PSI Ramjee Singh on behalf of IO.

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

Ld. counsel for applicant/accused submitted that vide order dated 16.08.2023 this Hon'ble Court was granted the interim bail to applicant/accused on the ground of surgery of his mother, which was scheduled on 18.08.2023, but applicant/accused was released from Judicial Custody on 18.08.2023. It is further submitted that on 18.08.2023, operation of mother of applicant/accused could not be conducted, firstly the mother of applicant/accused was diagnosed with high fever and high blood pressure and secondly, there was no one present to bring forth the medicines, equipment and to fill the forms required for the surgery of the mother of applicant/accused. It is further submitted that doctors has given another date for surgery to mother of applicant/accused i.e. 02.09.2023. It is further submitted that no one in the family of applicant/accused to take care his mother. It is prayed that the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the above said application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the

above said application may kindly be dismissed.

Heard.

As per the report of IO, concerned doctors has given another date i.e. 02.09.2023 for surgery of mother of applicant/accused and no one in the member in the family of applicant/accused to take care of his mother as her two elder daughters are already got married, rest of two are studying in 8th and 10th class. On humanitarian ground **interim bail of applicant/accused is extended till 05.09.2023** on the same terms and conditions vide order dated 16.08.2023. **Applicant/accused is directed, if surgery of his mother, which is scheduled for 02.09.2023 is postponed then he shall immediately surrender before the concerned Jail Superintendent.** The extension of interim bail application is disposed of accordingly. Extension of interim bail file be consigned to record room. A copy of this order be sent to concerned Jail Superintendent and be given dasti to Ld. counsel for applicant/accused.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
29.08.2023