

17.03.2023

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

Present: Sh. Himanshu Garg, ld. Addl. PP for the State.
Sh. R. S. Lather, Ld. counsel for applicant/accused.

Reply to the interim bail application filed by the IO.
Same is taken on record.

Ld. counsel for applicant/accused submitted that applicant/accused is in JC and he has been falsely implicated in the present case without having any involvement as alleged by the police officials concerned. It is further submitted that mother of the applicant/accused was admitted in the hospital on 08.03.2023 in emergency wherein doctor conducted some test of the applicant's mother and after analyzing the tests reports advised that the mother of applicant/accused should be operated for hysterectomy but due to bad medical condition and test reports doctor fixed the date of operation for 19.03.2023. It is further submitted that sister of the applicant is residing separately in her matrimonial home and brother of the applicant/accused is in Govt. Job, who is also residing separately and also father of the applicant/accused is suffering from old age ailments and no one in the family of applicant/accused to look after his mother. It is prayed that interim bail application of applicant/accused may be allowed.

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

Heard.

Keeping in view of the fact that medical documents have been verified by the IO and also considering the verification report of IO wherein it is clearly mentioned that his brother and sister are residing separately (i.e. sister is married and residing in Hamampur and brother serving in Indian Railway and residing at Chandigarh) and also considering the fact that presence of applicant/accused is required as no other family member is available to look after his mother, on humanitarian ground the applicant/accused be released on interim bail for a period of two days only (from the date of release) on his furnishing personal bond in the sum of Rs. 50,000 with two sureties in the like amount. The accused is directed to surrender before the concerned Jail Superintendent immediately after the expiry of period of interim bail and concerned jail superintendent shall send his report immediately thereafter. However, he is further directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime. The applicant/accused shall share his phone's live location as and when required by the IO. 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 . The interim bail application is disposed off

3/3

SC 59318/2016
STATE Vs. MANOJ @ MORKHERI
FIR No.55 /2016
PS Crime Branch-North Delhi
U/s. 3(1),4,5 MCOCA

accordingly.

Interim bail application file be tagged with the main case
file.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:17.03.2023_(RB)