

SC 365/2022
STATE Vs. GAURAV KUMAR @ SATHIYA
FIR No. 188 /2022
PS Adarsh Nagar
U/s.302/34/109 IPC

26.09.2023

File taken up today on an application U/s. 439 Cr. P. C for grant of interim bail for a period of one month moved on behalf of applicant/accused **Gaurav Kumar @ Sathiya**.

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Sh. Sarthak Tomar, Ld. counsel for applicant/accused.
Inspector Manoj Kumar in person.

Reply to the above said application alongwith statement of mother of applicant/accused has been filed by Inspector Manoj Kumar. Same are taken on record.

Ld. counsel for applicant/accused submitted that mother of applicant/accused suffered an anxiety attack and was rushed to ESI Hospital, wherein her BP was critically high and there was swelling in her body. It is further submitted that nervous system of the mother of applicant/accused is blocked and needs urgent medical attention to let her relieve from the chronic pain, for that she needs a medical attendant and proper medical attention. It is further submitted that father of applicant/accused is undergoing treatment from ESI Hospital since many years as he can barely move his lower body and is unable to walk properly. It is further submitted that there is no other male member in his family except the applicant/accused to help her get treated in such tough times. It is prayed that the 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 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

SC 365/2022
STATE Vs. GAURAV KUMAR @ SATHIYA
FIR No. 188 /2022
PS Adarsh Nagar
U/s.302/34/109 IPC

State and has also perused the record placed before the same.

Perusal of the record shows that charges for the offences punishable U/s. 302/34 IPC has been framed against the applicant/accused and the matter is at the stage of evidence. Perusal of the medical documents of mother of applicant/accused shows that treatment of his mother is still going on and after seeing the documents in totality no ground for interim bail for any kind of urgency is made out. Further, as per the submissions of prosecution that in the present case only one witness i.e. PW 1 Sh. Rahul Yadav has been partly examined-in-chief and remaining material witnesses are yet to be examined and if interim bail is granted to applicant/accused there are chances he may threaten the witnesses. Therefore in view of the seriousness and gravity of the offences alleged i.e. U/s. 302/34 IPC and other material circumstances, the **present interim bail application is dismissed**. Copy of order be given dasti to the concerned parties. The present bail application file be tagged with the main file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
26.09.2023