

SC ID no. 399/2019

IA No. 10/21

State Vs. Tarun Seth

FIR No.222/2019

P.S. GTB Hospital

U/s. 392/394/397/411/34 IPC

06.04.2021

Present : Sh. Rakesh Mehta, Ld. Addl. PP for the State.

Sh. Rama Kant Kashyap, Ld. Counsel for
applicant/accused.

SI Yogesh Kumar in person. Reply is filed.

This is an application for extension of interim bail u/s. 439
Cr.P.C as filed on behalf of above named applicant/accused.

Ld. Counsel for applicant/accused argued that father of
applicant is not keeping well as he is suffering from Tuberculosis and
as such, it is submitted that interim bail of applicant be extended for a
further period of 15 days. It has been submitted that applicant went to
surrender before Jail Superintendent on 25.03.2021 but he was not
taken into custody.

Per contra, Ld. Addl. PP for the State strongly opposed the
application while submitting that as per directions issued by Hon'ble
High Court as well as Hon'ble Supreme Court, all the inmates of
Shahdara District had to surrender till 25.03.2021. It is submitted that
as per report of IO, father of applicant did not visit the concerned
hospital for follow up. It is further submitted that applicant is having

one elder brother, who can take care of his father.

As per report of IO, Dr. K.K.Mathuria, CMO (SAG) reported that “ patient Ajay Seth i.e father of the applicant presented at this institute on 17.03.2020 and his Chest X-ray was suggestive of pleural effusion and was advised diagnostic & therapeutic tapping but he did not follow up with the reports for treatment, thereafter, patient is required to present physically with all previous reports for assessment of clinical condition and treatment”.

No doubt father of applicant is suffering from Tuberculosis but he did not visit the hospital for follow up. There is one elder brother of the applicant, who can take care of his father.

Keeping in view the totality of facts & circumstances, I am not inclined to extend the interim bail of applicant/accused. Accordingly, present application stands dismissed. Applicant/accused is directed to surrender before Jail Superintendent immediately.

(Sanjeev Kumar Malhotra)
ASJ-04/Shahdara
KKD Courts/Delhi/06.04.2021