

06.07.2024

**Present:** Shri Dushyant Siwatch, Ld. Addl. Public Prosecutor  
for the State.  
Shri Sanjay Kumar, counsel for the applicant/  
accused.  
IO in person.

The applicant/accused Pooja Rai has moved the present application seeking interim bail for two months for the medical treatment of minor son aged about 4 years and daughter aged about 7 years of applicant/accused.

During the course of arguments, it has been argued on behalf of counsel for applicant/accused that applicant/accused has been falsely implicated in the present case. It is submitted that both the children aged about 7 and 4 years are not well and are facing behavioral changes and need personal care in hospital and home. It is submitted that charges are yet to be framed in the present case and applicant/accused is in custody since 07.07.2023. It is submitted that both the children require care and attention of their mother as they have been referred for medical observation RML Hospital. It is prayed that applicant/accused be granted interim bail for two months.

Reply has been filed by the IO.

The present application has been vehemently opposed by Ld. Addl. PP for the State on the ground that the allegations against the applicant/accused are grave and serious in nature. It is further submitted that applicant/accused had killed a girl aged about 7 years by beating her. It is prayed that looking at the gravity of

offence, the present application be dismissed.

Arguments heard. Record perused. Considered.

Perusal of the record reflects that the allegations against the applicant/accused are that applicant/accused had given multiple beatings to the deceased Seeya, aged about 7 years. The postmortem report reflects that there are 38 injuries and opines as “cause of death is due to Hemorrhagic shock consequent to the above mentioned injuries”. The injuries are ante-mortem in nature and recent in duration and caused by hard blunt force impact/striking against hard rough surface/object. Perusal of the medical documents annexed reflect that they have been referred to psychological/psychiatry OPD for evaluation. Further, it is seen that other family members of children are available to look after the children of applicant/accused.

Considering the gravity of the offence and the fact that other family members of children are available to look after, at this stage, I am not inclined to grant interim bail to the applicant/accused. Accordingly, bail application of the applicant is dismissed.

It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

**Application is disposed of accordingly.**

Copy of this order be given dasti to the counsel for the applicant and IO as prayed for.

Copy of this order be sent to concerned Jail Superintendent also.

**(Gurmohina Kaur)**  
**ASJ-05/South-West District,**  
**Dwarka Courts/New Delhi**  
**06.07.2024**