

DWLW01-000498-2021
SC No.49/21
FIR No.301/19
PS Crime Branch
State Vs. Sonu

31.05.2022

Case file taken up today on the bail application filed on behalf of the accused Sonu for grant of interim bail under Sec 439 Cr.P.C on the medical ground.

Present : Sh. K.D. Pachauri, Ld. Addl. PP for the State.
Sh Deepak Ghai, Ld counsel for accused.
Substitute IO SI Ram Kishan in person.

Reply has been filed on behalf of IO.

The present bail application has been moved on behalf of accused Sonu stating that accused was also previously granted interim bail vide order dated 17.01.2022 as the wife of the accused namely Kanchan Malik aged about 36 years having the troubled pregnancy. It is stated that after completion of the interim bail period, accused himself had surrendered. It is further stated that wife of accused is having trouble pregnancy since the beginning of pregnancy and there is no one in his family to take care of her. It is further submitted that expected date of delivery is 01.07.2022 and she needs close attendant to take care of her. It is further stated that she has great hardship both in getting treatment and in arranging funds. It is further stated that accused has never misused the concession granted by the court while released on interim bail. Therefore, he may kindly be released on interim bail for 2 months.

Reply/ report has been filed. It is reported that expected date of delivery is 10.07.2022 / in the end of June,2022. It is further reported that wife of the applicant/ accused Smt Kanchan Malik, 36y/F is having medical issues also, like B/L Pneumonia and Bronchits and Respiratory distress and Anema and Pelvic inflammatory disease and

Urinary tract infection and Discharge P.V for which she is on regular medications and advised bed rest.

I have heard and considered the rival contentions and have perused the report regarding the medical documents and condition of the pregnancy of the wife of the accused/ applicant and the factum that there is no one in the family of the accused except two minor children and therefore, taking into consideration the factum that accused has surrendered previously after completion of interim bail, accused Sonu is admitted to interim bail from 15.06.2022 to 15.07.2022, both the dates are inclusive on furnishing of personal bond in the sum of Rs 25000/- and a surety of like amount.

The accused is directed to surrender on 16.07.2022 at 10 am before concerned Jail Superintendent.

Further, during the interim bail period accused shall not leave Delhi and shall furnish his mobile number to the IO. Accused shall file the affidavit regarding the compliance of the bail condition at the time of furnishing of Bail bond. Accordingly, bail application stands disposed off.

Nothing expressed herein above shall tantamount to expression of my opinion on the merits of the case.

A copy of this order be given dasti to Ld.Counsel for accused/IO be sent through electronic mode. A copy of order be sent to concerned Jail Superintendent.

Matter is already fixed on **06.07.2022**. Be put up for arguments on charge on **06.07.2022**. Parties to file their written submissions with supply of advance copy thereof to each other before the NDOH.

(Devendra Kumar Sharma)
Special Judge (NDPS)/
Addl. Sessions Judge (West District),
Tis Hazari Courts, Delhi
31.05.2022