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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 224/2022**

KULDEEP TOMAR

..... Appellant

Represented by: Mr.Mukesh Kalia, Advocate with
Mr.Anubhav Jain, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr.Mukesh Kumar, APP for the State
with SI Suresh Kumar, P.S.New
Usmanpur.
Mr.Harsh Prabhakar,
Advocate/Amicus Curiae with
Mr.Dhruv Chaudhry, Advocate for
the victim.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **12.10.2022**

CRL.M.B. 1209/2022 (for interim suspension of sentence)

1. By this application, the appellant seeks interim suspension of sentence for a period of eight weeks on the ground that he has been diagnosed with Cataract in both the eyes and thus, he has to get his surgery done i.e. minimal invasive Cataract surgery.
2. Medical report has been filed from the jail as per which, the appellant was last reviewed on 22nd June 2022, whereafter, he was released on interim suspension of sentence when the appellant got himself checked up with an Ophthalmologist at a private hospital who has advised the appellant for Cataract surgery for both the eyes.
3. Considering the fact that the appellant has to undergo this elective



surgery of Cataract for both the eyes and that earlier also, when the appellant was granted interim suspension of sentence for a period of two weeks, there is no allegation that during the said period, he misused the said concession, this Court deems it fit to grant interim suspension of sentence to the appellant to under the Cataract surgery of both the eyes.

4. Consequently, the appellant is directed to be released on interim suspension of sentence for a period of 10 days from the date of his release on his furnishing a personal bond in the sum of ₹25,000/- with two surety bonds of the like amount to the satisfaction of the learned Trial Court/CMM/Duty Magistrate; further subject to the conditions that the appellant will furnish his mobile phone number in the personal bond which he will be using during the period of interim suspension of sentence, which phone number will be kept in active mode so that as and when required, he can be contacted.

5. Application is disposed of.

6. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

ANISH DAYAL, J.

OCTOBER 12, 2022/akb