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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.A. 225/2022

SMT MITHLESH

.....Appellant

Through: Mr. Ajay Verma, Mr. Krishna Sharma
and Mr. S.S. Tomar, Advs. (M:
9811098069)

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Aman Usman, APP
SI Suresh Kumar, PS U.S. Pur.
Mr. Harsh Prabhakar, Mr. Dhruv
Chaudhry, Mr. Adeeb Ahmad and
Ms. Eshita Pallavi, Advs. for Victim.
(M: 7531946786)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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27.11.2024

1. This hearing has been done through hybrid mode.

CRL.M.A.35123/2024 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.(BAIL).1958/2024 (for extension of interim suspension)

3. This is an application filed by the Applicant-Smt. Mithilesh under Section 430 read with Section 528 of B.N.S.S 2023 seeking extension of interim suspension for a further period of three months. The interim suspension was granted *vide* order dated 29th August, 2024 in the following terms:

“8. Considering the age of the Appellant and the fact that, the co-convict’s sentence has already been suspended, this Court is



inclined to suspend the sentence awarded to the Appellant/Applicant for a period of 03 months and she is directed to be released on bail, from the date of release, on her furnishing a personal bond of Rs. 25,000/- with one surety of like amount, to the satisfaction of learned Trial Court/Link Court, further subject to the following conditions:

- i. The Appellant/Applicant shall not leave the country without prior permission of this Court;*
- ii. The Appellant/Applicant shall intimate this Court by way of an affidavit as also the Investigating Officer regarding any change in the residential address;*
- iii. The Appellant/Applicant shall appear before this Court as and when the matter is taken up for hearing;*
- iv. The Appellant/Applicant shall provide her mobile number to the Investigating Officer and intimate about any change;*
- v. The Appellant/Applicant is directed to surrender before the jail authorities after the expiry of interim bail.*

4. Another application (***Crl.M.(Bail) 1878/2024***) filed by the same applicant, praying for **extension of bail on the same medical grounds**, was dismissed by this Court *vide* order dated November 13, 2024.

5. It is now specifically submitted by Id. Counsel for the Appellant that the Appellant has to undergo knee surgery on 9th December, 2024. Medical documents have been attached with the application. Let the same be verified. Let the State also verify whether the surgery is to take place or not. Status report be filed by the next date of hearing.

6. The interim suspension is extended on the same conditions till the next date of hearing.

7. List on 12th December, 2024.



8. Copy of the order be communicated to the concerned Jail Superintendent for necessary information.

PRATHIBA M. SINGH, J

AMIT SHARMA, J

NOVEMBER 27, 2024/dk/Am/pr