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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 623/2025**

ANGEL GUPTA

.....Appellant

Through: Mr. Joginder Tuli with Ms. Joshini
Tuli & Ms. Amarjeet Vedi, Advs.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Ms. Priyanka Dalal, APP for State
with Insp. Bijay Kumar, PS-Bawana.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **14.11.2025**

CRL.M.(BAIL) 2246/2025

1. The present application has been filed under 430 read with Section 528 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, seeking *interim* suspension of sentence on the ground of surgery of her ailing mother.
2. The appellant has been held guilty for offences punishable under Sections 302 and 120-B of Indian Penal Code, 1860 (IPC) and has been, *inter alia*, sentenced to undergo rigorous imprisonment for life.
3. Learned counsel for the appellant submits that there is a grave medical emergency concerning the appellant's 60-year-old mother, who has undergone two major surgeries, first, a *hysterectomy* on 10.04.2024, and



thereafter, a surgery for *Vesico-Vaginal Fistula (VVF)* on 21.05.2024. She submits that, owing to persistent infection and a progressive deterioration in her condition, the treating doctors have advised her admission to the hospital on 17.11.2025 for further surgical management, with the next surgery scheduled for 18.11.2025 at Mehta Hospital, Saket, New Delhi.

4. She further submits that the Appellant is the only adult female member in the household comprising her mother, stepfather, and a 10-year-old minor brother. The mother's medical condition is exclusively gynecological and requires personal assistance and constant monitoring, which cannot be provided by male family members. The Appellant's presence is therefore indispensable for ensuring proper hospitalization, tests, post-operative care, and recovery. In these circumstances, she prays, the sentence of the appellant be suspended for a period of six weeks to enable the Appellant to take care of her mother during surgery and post-operative recovery.

5. Learned APP for State has handed over a status report across the board and the same is taken on record. She submits that factum of the surgery of the mother of the appellant stands duly verified and she has been advised admission on 17.11.2025, and surgery on 18.11.2025 at Mehta Hospital, Saket, New Delhi.

6. We have heard the learned counsel for the appellant and the learned APP for the State and have perused the record.

7. The perusal of the Nominal Roll reveals that the appellant has undergone incarceration for almost 6 years and her conduct in jail has been satisfactory, where she is working as *Chakkar Sahayak*, earning wages and sending financial assistance to his family.



8. Keeping in mind the above-said aspects, including the period of incarceration undergone by the Appellant and in order to enable the appellant to attend to and take care of her ailing mother during the forthcoming surgery and the ensuing post-operative recovery period, the sentence awarded to the appellant is hereby suspended, from the date of her release, for a period of four weeks, on her furnishing personal bond in a sum of Rs. 10,000/-, with one surety in like amount, subject to the satisfaction of the learned Trial Court and further subject to the following conditions:

- i) Appellant shall not leave the country without prior permission of the learned Trial Court and shall surrender her passport, if any, before the learned Trial Court. In case, he does not possess any passport, he shall state so before the learned Trial Court, by way of affidavit.
- ii) Appellant shall provide her own residential address and also of the place where her mother is currently residing, contact details and mobile numbers to the learned Trial Court and learned Trial Court would be at liberty to get all such address duly verified before accepting the bonds.
- iii) Appellant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the family member of the deceased, directly or indirectly.

9. Accordingly, the present application stands disposed of in aforesaid terms.

10. A copy of this Order be sent to learned Trial Court and the Jail Superintendent for information and necessary compliance.



11. A copy of this Order be given *dasti* under the signatures of court master, as requested.

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12. List on the date already fixed i.e. 08.01.2026.

VIVEK CHAUDHARY, J

MANOJ JAIN, J

NOVEMBER 14, 2025/kp