



\$~22

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 454/2024 & CRL.M.A. 3229/2025**

MEHBOOB ALAM

.....Appellant

Through: Sh. Amrendra Kumar Jha & Sh. S N  
Shukla, Advocates. (M: 9910587545,  
8588853448)

versus

STATE (NCT) OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri, APP with  
Ms. Divya Yadav, Advs. with Insp.  
Jaiprakash Nagar ((M:9910031597))  
PS IP Estate.  
Mr Harsh Prabhakar, Adv (DHCLSC)  
with Mr Dhruv Chaudhry, Mr Adeeb  
Ahmad and Ms. Eshita Pallavi, Advs.  
for R-2/Victim. (M: 7531946786)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE DHARMESH SHARMA**

**ORDER**

% **03.02.2025**

1. This hearing has been done through hybrid mode.

**CRL.M.A.3229/2025 (for early hearing)**

2. This is an application filed under Section 482 of Cr.P.C read with Section 528 of BNSS, 2023 seeking an early hearing in the application ***CRL.M.(BAIL) 1972/2024***.

3. For the reasons stated in the application, the early hearing request is accepted. Application is disposed of.

**CRL.M.(BAIL) 1972/2024**

4. This is an application filed by the Appellant/Applicant under Section

*CRL.A. 454/2024*

*Page 1 of 3*



389 of Cr.P.C read with Section 430 of BNSS, 2023 seeking suspension of sentence on the ground of medical condition of the Appellant's wife.

5. A status report dated 17th December, 2024 has been placed on record as per which the medical documents *i.e.*,

- the certificate and ultrasound report dated 5th November, 2024 issued by Advik Health Centre, Moradabad;
- the doctor prescription note dated 6<sup>th</sup> November, 2024 issued by the Dr. Ritu Sanga Nursing Home; and
- the prescription note dated 13th November 2024 issued by the Al-shifa Health Centre

have all been collected and verified.

6. The nominal roll also shows that the Appellant has undergone almost nine years of incarceration.

7. Under these circumstances, the Court is inclined to suspend the sentence of the Appellant for a period of two weeks from the date of his release to enable him to aid his wife in undertaking gallbladder surgery. In view thereof, the present application is allowed.

8. The Appellant is directed to be released on bail, on him furnishing a personal bond of Rs.10,000/- and a surety of like amount subject to the satisfaction of the learned Trial Court/Link Court, and further subject to following conditions:

- i. The Appellant shall not leave India without prior permission of the Trial Court;
- ii. The Appellant shall inform the Investigating Officer his present residential address. The Appellant shall also intimate the Trial Court by way of an affidavit and to the Investigating Officer regarding any



- change in residential address;
- iii. The Appellant is directed to give his mobile number to the Investigating Officer and keep it operational at all times. The Appellant shall also inform the Investigating Officer regarding any change in the said mobile number. He shall be in touch whenever the Investigating Officer wishes to contact him;
  - iv. The Appellant shall appear before this Court as and when the matter is taken up for hearing;
  - v. He shall report to the concerned SHO PS Kanth, Moradabad District, U.P. once in a week on Monday at 11 AM during the said 2 week period;
  - vi. If the Appellant is seen to be indulging in any other criminal incident, the bail granted today would be liable to be cancelled.
9. The application is allowed and disposed of, accordingly.
  10. Copy of the order be communicated to the concerned Trial Court and Jail Superintendent for necessary information and compliance.
  11. Order be uploaded on the website of this court *forthwith*.
  12. *Dasti*.

**CRL.A. 454/2024**

13. List on 7<sup>th</sup> March, 2025, the date already fixed.

**PRATHIBA M. SINGH, J.**

**DHARMESH SHARMA, J.**

**FEBRUARY 3, 2025/dk/Am**