



\$~21

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

+ CRL.A. 780/2024, CRL.M.(BAIL) 1436/2024 & CRL.M.(BAIL) 1235/2025

SURENDER & ANR.

.....Appellants

Through: Mr. Sanjay Kumar, Advocate for A-2
(through VC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for the
State.

Mr. Zishaan Iskandari, Advocate for
the complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **17.07.2025**

1. This hearing has been done through hybrid mode.

**CRL.M.(BAIL) 1172/2025 (Suspension of Sentence of Appellant No.2-
Mohini)**

2. On 02.09.2024, a Coordinate Bench of this Court in CRL.M.(BAIL) 1436/2024 had granted interim suspension of sentence for a period of four weeks to the appellant no. 2/applicant- Mohini on the ground of her pregnancy and in order to enable her to get a proper diagnosis and care. The said period of interim bail was extended *vide* order dated 30.09.2024. Further *vide* order dated 12.11.2024, the Coordinate Bench, had extended the interim bail of the applicant for a period of twelve weeks on the ground that the applicant had delivered a child on 06.11.2024. On 06.02.2025, this Court had further extended the interim bail of the applicant on the same terms and conditions till 21.03.2025.



3. This Court on 16.05.2025 in CRL. M.(BAIL) 1436/2024 had directed the applicant/appellant no. 2 to surrender before the concerned Jail Authorities as there was no appearance on behalf of the applicant on 21.03.2025 and neither was there any extension of interim bail. The relevant portion of the said order reads as under: -

“5. Interim bail was granted to appellant no. 2-Ms. Mohini *vide* order dated 02.09.2024, and the same was further extended *vide* orders dated 12.11.2024 and 06.02.2025. It was finally extended till 21.03.2025.

6. On 21.03.2025, there was no appearance on behalf of the appellant no. 2 and neither was there any extension of interim bail granted to the appellant no. 2.

7. Learned counsel for the appellants submits that due to some personal difficulty he could not appear on 21.03.2025. He further submits that the appellant no. 2 shall surrender today itself. Let the appellant no. 2 surrender today itself.

XXX

XXX

XXX

9. Let the surrender report be requisitioned from the concerned Jail Superintendent before the next date of hearing.”

4. Thereafter, the present application being CRL.M.(BAIL) 1172/2025 was filed and this Court *vide* order dated 26.05.2025 had observed as under:

-

“4. *Vide* order dated 16.05.2025, the applicant was to surrender on 16.05.2025, as her interim bail had ended on 21.03.2025, and it was never extended. It is further noted that the previous application for regular suspension of sentence, i.e., CRL.M.(BAIL) 1436/2024 is pending.

5. Learned counsel appearing on behalf of the appellant no.2/applicant, on a pointed query is unable to show a single document to state as to when the appellant no.2/applicant had given birth to a child for which she had been given interim bail extension.”

5. *Vide* the aforesaid order, the hearing of the present application was adjourned to 17.07.2025, i.e., today. Thereafter, on 30.05.2025, another application bearing CRL.M.(BAIL) 1235/2025 was filed by the applicant seeking interim suspension of sentence for a period of two months. Along



with the said application, the applicant had annexed medical documents of her minor daughter, wherein, it has been opined that the child was suffering from acute bronchitis from 04.03.2025. The documents further record that the child was also suffering from acute *pneumonia* from 12.05.2025.

6. The documents relating to the applicant's delivery of the child were handed up in Court, and it was submitted that the said child is unwell. *Vide* order dated 30.05.2025, this Court had extended the interim bail granted to the applicant on 02.09.2024. This Court directed the Investigating Officer to verify the documents relating to delivery of the applicant's child before the next date of hearing *i.e.*, 12.08.2025.

7. It is noted that, presently, there are three applications filed by the appellant no. 2/applicant. First, CRL.M.(BAIL) 1436/2024, seeking regular suspension of sentence, wherein, the applicant was granted interim bail *vide* order dated 02.09.2024. Second, the present application, *i.e.*, CRL.M.(BAIL) 1172/2025 was also filed seeking regular suspension of sentence. Third, CRL.M.(BAIL) 1235/2025 filed seeking interim suspension of sentence. The aforesaid applications are pending for consideration.

8. List on the date already fixed, *i.e.*, 12.08.2025.

AMIT SHARMA, J

JULY 17, 2025/bsr/sc