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

+ **CRL.A. 133/2022**

IMRAN

.....Appellant

Through: *Appearance not given.*

versus

THE STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: **Mr. Hemant Mehla, APP.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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07.04.2025

CRL.M.(BAIL) 702/2025(seeking suspension of sentence)

1. Through this application, Petitioner seeks interim suspension of sentence for a period of 6 weeks, on account of medical condition of his wife who is required to under surgery. The Applicant has been convicted in connection with FIR No. 422/2017 registered under Sections 376/323/366/506 of the Indian Penal code, 1860 and Sections 4/8 of the Protection of Children from Sexual Offences Act, 2012.
2. A status report verifying the medical records of the Applicant's wife has been handed over across the Board and is taken on record. Mr. Hemant Mehla, APP for the State, states that the surgery does not require the presence of the Applicant specifically and any adult attendant can provide care required during hospital stay and post-surgery home care. It is also pointed out that there is no clear date fixed for surgery.
3. In response, counsel for Applicant states that once he is released on



bail, he shall ensure that the date of surgery is fixed immediately. He urges that and his presence is necessary for the surgery and also for post operative care. The Applicant further undertakes that he will not seek any extension of bail on this ground.

4. Considering the fact that medical records submitted by Petitioner have been verified, and also considering the nature of ground for seeking interim bail, the Court is inclined to accede to the request of Petitioner.

5. In view of the foregoing, there shall be interim suspension of sentence for a period of three weeks from the date of release of the Applicant. The Applicant is directed to be released on interim bail for a period of three weeks, on furnishing a bail bond for a sum of INR 25,000/- with two sureties of the like amount, subject to the satisfaction of the concerned Jail Superintendent/Trial Court/ Duty MM on the following conditions:

- (a) The Applicant shall surrender before the Jail Superintendent/Trial Court/ Duty MM, on or before the expiry of 30 days from the date of release;
- (b) The Applicant shall, under no circumstance, leave the NCT of Delhi, without permission of the Trial Court, during the period of his release;
- (c) The Applicant shall not contact the Prosecutrix or any of her family members;
- (d) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, in any manner whatsoever;
- (e) The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;



(f) The Applicant shall not reside within 3 km radius of the residence of the Prosecutrix and shall also furnish proof of his residence to the concerned IO. The Applicant shall also not move in the vicinity of the Prosecutrix in any manner;

(g) The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;

(h) The Applicant shall report to the concerned P.S. and meet the I.O. on every Monday at 02:00 PM during this period and shall positively surrender on the date fixed;

(i) The Applicant shall not commit any offence during the period of his release.

6. It is clarified that no extension of interim bail shall be granted to the Applicant on the same grounds.

7. The present application is allowed in the aforesaid terms.

SANJEEV NARULA, J

APRIL 7, 2025

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