

Prince Tewatia vs State, Nct Of Delhi on 30 July, 2021

Author: Yogesh Khanna

Bench: Yogesh Khanna

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2186/2021

PRINCE TEWATIA

Through : Mr.Jitendra Sethi and
Gulati, Advocates.

versus

STATE, NCT OF DELHI

Through : Mr.Kamal Kr.Ghai, APP
with Inspector Vinay
Cell/NDR.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% 30.07.2021

1. The hearing has been conducted through Video Conferencing.

2. Petitioner seeks interim bail for four weeks in case FIR No.190/2019 under Section 186/353/307/34 IPC read with Section 25/27 Arms Act registered with police station Special Cell on the ground of illness of his wife. It is alleged the wife of the petitioner is suffering with ovarian cyst and has been advised surgery which was earlier scheduled for 28.05.2021, then 07.06.2021 and now on 10.08.2021, but it could not be performed because of the financial constraint. The learned counsel for the petitioner submits wife of the petitioner require blood transfusion and an attendant as is a major surgery. The doctor have also advised surgery be done at the earliest, hence request is made to grant interim bail to the petitioner.

3. This fact has been verified by the police. As per first status report it is noted the medical documents attached with the interim bail, of the concerned hospital were found to be correct. However, it is submitted last year on 14.05.2020, the petitioner was released on interim bail for 30 days, but did not surrender in time and rather filed an application for further extension and even produced false covid-19 certificate, for which separate FIR was registered.

4. It is further submitted during the tenure of interim bail period, three more FIRs were registered against the petitioner; out of them two are under Section 336/34 IPC and third one i.e. FIR No.227/2020 police station Wazirabad was under Section 302/120B/34 IPC read with Section 27 Arms Act.

5. The learned counsel for the petitioner submits in FIR No.227/2020 the petitioner has been granted interim bail for three weeks by the learned Session's Court per order dated 28.05.2021 and he assured he would not seek further extension before the said Court. The copy of order dated 28.05.2021 is annexed as Annexure P3 in this petition.

6. Considering the fact petitioner has since been granted interim bail by the learned Session's Court in FIR No.227/2020 (supra), wherein as per the submission of the learned counsel for petitioner, the only evidence against accused is the disclosure statement of co-accused and nothing else, the petitioner is also granted interim bail for a period of three weeks from the date of his release from prison on his executing a personal bond of Rs.20,000/- with one surety of the like amount to the satisfaction of the learned Trial Court/Duty MM/Jail Superintendent.

7. The petitioner is directed to furnish his contact details/address to the Investigating Officer where he is putting up during this period of three weeks and shall make video call to the Investigating Officer on every Monday and shall keep his mobile location app open at all time.

8. The learned counsel for the petitioner assured the petitioner shall not seek extension of interim bail on any grounds whatsoever and shall surrender on the expiry of interim bail period.

9. The petitioner stands disposed of in above terms.

10. Copy of this order be sent electronically to the learned Trial Court / Jail Superintendent for information and compliance.

YOGESH KHANNA, J.

JULY 30, 2021 M