
(2019) 01 DEL CK 0354
In the Delhi High Court
Case No : Bail Application No. 137 Of 2019

Vicky

APPELLANT

Vs

State (Govt. Of Nct Of Delhi)

RESPONDENT

Date of Decision : 29-01-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 304B, 498A

Citation : (2019) 01 DEL CK 0354

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Ravi Drall, Meenakshi Dahiya

Final Decision : Disposed Off

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks interim bail in FIR No. 260/2016 under Sections 498-A/304-B/34 IPC at Police Station Deshbandhu Gupta Road, Delhi for a period of two months to undergo treatment and surgery for gall bladder stone.
2. The medical condition of the petitioner has been verified. The verification report in the form of questions put by the IO and the response given by the Office of Senior Medical Officer of Central Jail has been produced and the same are taken on record.
3. As per the medical verification report, the Medical Officer Incharge has reported that the petitioner suffers from gall bladder stone and has been advised for Laparoscopic Cholecystectomy surgery. However, the surgery could not be performed on the date when the surgery was fixed i.e. 17.01.2019 as he was suffering from fever rhinorrhoea and cough and the surgery was deferred.
4. It is further stated that Laparoscopic Cholecystectomy is not possible in Central jail Hospital Dispensary.
5. Learned counsel for the petitioner submits that the petitioner would like to

have the surgery done privately from a private hospital.

6. Keeping in view of the totality of the facts and circumstances and also the medical condition of the petitioner, I am of the view that petitioner is entitled to interim bail for a period of two months.

7. Accordingly, on petitioner furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the court concerned, petitioner shall be released on interim bail for a period of two months from the date of his release. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.

8. Petitioner is directed to intimate, to the IO, the date of his admission and the name of and address of the hospital where he is admitted for his treatment/surgery. The petitioner shall surrender to the concerned Superintendent, Jail on expiry of the period of two months of his release.

9. The petition is disposed of in the above terms.

10. Order Dasti under signatures of the Court Master.