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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 12th October, 2026**# **CNR No. DLHC010134342026**+ **CRL.A. 327/2026 & CRL.M.(BAIL) 1763/2026****VINOD KUMAR**

.....Appellants

Through: Mr. Vaibhav Sharma, Mr. Vinayak
Gautam and Ms. Urvashi Sharma,
Advocates
Mob: 9540558140

versus

THE STATE (GOVT. OF N.C.T, DELHI) AND ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State with Mr. Siddharth Shankar Jha
and Ms. Kalpana Jha, Advocates
Mob: 9810442918
SI Nitesh Mahiya, PS Sagarpur
Mob: 9784307111

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral):****CRL.M.(BAIL) 1763/2026 (For interim bail)**

1. The present application has been filed on behalf of the appellant under Section 430 of the Bharatiya Nyaya Suraksha Sanhita, 2023 ("BNSS"), corresponding to Section 389 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking interim suspension of sentence and enlargement on bail for a period of eight weeks in *Sessions Case 185/2017*, arising out of *FIR No. 455/2016* dated 23rd December, 2016, registered under Sections 498A/304B/34 of the Indian Penal Code, 1860 ("IPC"), at Police Station



(“PS”) Bagar Pur, South West Delhi. The application has been preferred on the ground that the wife of the applicant/appellant is scheduled to undergo a surgery.

2. Learned counsel appearing for the applicant/appellant submits that the wife of the applicant/appellant, i.e., Smt. Pushpa Devi, has been advised immediate surgery for spinal decompression and fixation.

3. It is submitted that on account of the intensive and invasive nature of the medical operation, the wife of the applicant/appellant would require post-operative care.

4. It is further submitted that the wife of the applicant/appellant is bed-ridden and requires proper care and supervision, including being taken to the hospital in the event of further medical aberrations.

5. Thus, it is submitted that the presence of the applicant/appellant is required in order to arrange the requisite funds to meet these medical exigencies.

6. As far as the availability of the other family members of the applicant/appellant are concerned, learned counsel appearing for the applicant/appellant further submits that the daughter-in-law of applicant/appellant is in the eighth month of pregnancy and she also faces grave risk of medical emergencies.

7. Thus, the presence of the applicant/appellant is imperative in order to provide better care to his wife and perform necessary family responsibilities.

8. Issue notice.

9. Notice is accepted by learned Additional Public Prosecutor (“APP”) for the State.

10. Learned APP for the State has handed over to this Court a Status



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Report dated 09th October, 2026, and the same is taken on record.

11. As per the said Status Report, the medical documents of the wife of the applicant/appellant have been verified by the Investigating Officer (“IO”).

12. He, however, submits that no specific date for the surgery of the wife of the applicant/appellant has been mentioned.

13. In response, learned counsel appearing for the applicant/appellant submits that the wife has been advised to undergo the surgery immediately and that within one week of the applicant/appellant being enlarged on interim bail, the surgery shall take place.

14. In view of the medical condition of the wife of the applicant/appellant and her impending surgery, the documents pertaining to which have been duly verified by the IO, and in the interest of justice, the present application is allowed.

15. The applicant/appellant is granted interim bail for a period of six weeks from the date of his release, subject to the following conditions:

- I. The applicant/appellant shall furnish a personal bond in the sum of Rs. 50,000/- with one surety of the like amount, to the satisfaction of the concerned Jail Superintendent.
- II. The applicant/appellant shall furnish his mobile number to the IO/Station House Officer (“SHO”), and ensure that the said mobile number remains operational and switched on at all times. The mobile number shall not be changed, nor shall the mobile phone be switched off, without prior intimation to the IO/SHO.
- III. The applicant/appellant shall give his residential address to the IO/SHO, and shall not change the same without prior intimation to the



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IO/SHO.

- IV. The applicant/appellant shall not leave the National Capital Region (“NCR”) of Delhi.
- V. The applicant/appellant shall report to the concerned IO/SHO on every second and fourth Saturday of the week at 04:00 PM.
- VI. In the event the surgery of the wife of the applicant/appellant does not take place within a period of one week from the date of release of the applicant/appellant, in terms of the present order, he shall surrender before the concerned Jail Superintendent on 19th October, 2026, by 04:00 PM.
- VII. Upon expiry of the period of six weeks from the date of his release on interim bail, the applicant/appellant shall surrender before the concerned Jail Superintendent on or before 04:00 PM on the said date.
- VIII. The medical documents relating to the surgery of the wife of the applicant/appellant will be furnished to the Jail Superintendent at the time of his surrender.
16. The present application is disposed of, in the aforesaid terms.
17. Copy of this order be communicated to the concerned Jail Superintendent for information and necessary compliance, forthwith.

MINI PUSHKARNA, J

OCTOBER 12, 2026

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