



2026:DHC:1052



\$~2

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

%

Date of Decision: 09.02.2026+ **BAIL APPLN. 86/2026**

FURKAN @ FAIZAN

.....Petitioner

Through: Ms. Priyal Bhardwaj and Mr. Chetan
Bhardwaj, Advocates.

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Amit Ahalwat, APP for State
with Inspector Pankaj Tomar and
Inspector Tribhuvan Negi, PS
Timarpur.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The applicant/accused seeks interim bail in case FIR No. 84/2021 of Police Station Timarpur for the offence under Section 302/398/201/34 IPC and Section 25/27 of the Arms Act.

2. Despite two adjournments, status report has not been brought on record on behalf of State. On last date, learned counsel for accused/applicant made specific submissions that the submissions advanced by the investigating officer were not truthful. Recording this submission of learned counsel for accused/applicant, one more opportunity was granted to prosecution to file status report, but that has again not been done. It seems



2026:DHC:1052



that State has no serious objection to this interim bail application.

3. Broadly speaking, the accused/applicant seeks interim bail for a period of 45 days on the ground that his wife has to undergo *Marsupialization*, a surgery to treat cysts in vagina by making a slit in the cyst wall, draining its contents and then stitching the edges of the cyst to the surrounding skin and tissues, thereby creating a permanent pouch like opening that allows for continuous drainage and prevents the cyst from filling.

4. It is further submitted on behalf of the accused/applicant that he has three minor children in custody of his wife and if she has to undergo that surgery, there would be nobody to take care of their children.

5. Learned APP submits that earlier also the accused/applicant sought interim bail on the ground of surgery of his wife but she did not get herself operated upon, which shows that there is no medical emergency. It is also contended that the accused/applicant has ten more relatives to take care of his children.

6. As mentioned above, despite repeated directions, the State has not filed status report. On last date, when learned counsel for accused/applicant challenged the truthfulness of submissions advanced by the IO/Inspector Praveen Kumar, learned APP was granted yet another opportunity to file status report in writing. But despite that, no status report was filed to state in



2026:DHC:1052



writing that there are other relatives available to take care of wife and/or children of the accused/applicant during surgery. As regards the wife of the accused/applicant having earlier not got the surgery done, it is explained by learned counsel that earlier she did not do so because she has none else to take care of her children.

7. Considering the above circumstances, the application is allowed and the accused/applicant is directed to be released on interim bail for a period of 45 days to take care of his children and ailing wife, subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Trial Court.

8. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

FEBRUARY 09, 2026/dr