



\$~3

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

+ **BAIL APPLN. 1433/2023, CRL.M.(BAIL) 622/2023**

RAMESH KAKKAR

..... Petitioner

Through: Mr. Anirudh Malhotra and
Mr.Sourabh Choubey, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Aman Usman, APP Naib Court
along with ASI Ashok Kumar.
Mr Nipun Katyal, Mr. Anand Mishra
Ms Anam Siddiqui and Mr Naved
Ahmed, Advocates for complainant.
Insp. Subhash Chand, PS Jamia
Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

15.06.2023

%

1. This is an application CRL.M.(BAIL) 622/2023 seeking interim bail in FIR No. 445/2016 under Sections 302/120B/34 IPC registered at PS-Jamia Nagar for a period of 90 days on medical grounds.
2. Notice was issued on the application on 02.06.2023.
3. The learned counsel appearing on behalf of the petitioner submits that the petitioner is suffering from certain medical conditions as borne out from the medical report furnished by the jail authority. He submits that as observed in the medical report, the petitioner has to undergo



Cholecystectomy Haemorrhoidectomy and FESS Septoplasty Surgeries. The relevant portion of the medical record reads as under :-

“At present inmate patient is a case of CAD (Coronary Artery Diseases), RHD (Rheumatic Heart Diseases) Type-11 Diabetes Mellitus, CKD (Chronic kidney Diseases) COAD, AVR (Aortic Valve Replacement), anemia, IgA Nephropathy, for which he is under regular follow-up from doctor on duty/jail visiting Medicine SR/RML Hospital and inmate patient is persisting with complaints of on and off chest pain, breathlessness, abdominal pain, bronchial asthma and nasal bleeding. Further Inmate patient is advised for Cholecystectomy Haemorrhoidectomy and FESS Septoplasty Surgeries after CAG (Coronary Angiography).”

4. From the medical record which has originated from the jail itself, it appears that the petitioner is suffering from Heart ailment besides other ailment mentioned therein and there is a need for surgical intervention, thus, the petitioner has made out the case for interim bail. Accordingly the petitioner is admitted to interim bail for a period of 45 days from the date of release subject his furnishing bail bond in the sum of Rs.20,000/- and one Surety Bond of the like amount subject to the satisfaction of the learned Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

- a) Petitioner/applicant will not leave the city without prior permission of the Court.
- b) Petitioner/applicant shall appear before the Court as and when the matter is taken up for hearing.
- c) Petitioner/applicant shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times



and shall not switch off or change the mobile number without prior intimation to the Investigating Officer concerned. The mobile location be kept on at all times.

d) Petitioner/applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses or any family members of the witnesses.

5. It is made clear that that at the time of surrendering the petitioner shall furnish record of the surgical procedures he had undergone during the period of interim bail. In the event of failure to furnish such record, no further indulgence shall be given by this court.

6. The application is disposed of in the above terms.

7. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.

8. Order *dasti* under signatures of the Court Master.

VIKAS MAHAJAN
(VACATION JUDGE)

JUNE 15, 2023

Amit