

§ 4 & 5

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

+ BAIL APPLN. 2817/2015

RAMESH CHAND AGGARWAL ..... Petitioner

Through: Mr.S.P.M. Tripathi, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Kamal Ghai, APP for the State.

+ BAIL APPLN. 2818/2015

NEERAJ AGGARWAL ..... Petitioner

Through: Mr.S.P.M. Tripathi, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Kamal Ghai, APP for the State.

**CORAM:**

**HON'BLE MR. JUSTICE V.P.VAISH**

**ORDER**

% 28.12.2015

**Crl.M.A. No.19057/2015 in BAIL APPLN. 2817/2015**

**Crl.M.A. No.19058/2015 in BAIL APPLN. 2818/2015**

Exemption allowed subject to all just exceptions.

The application stands disposed of.

**BAIL APPLN. 2817/2015**

**BAIL APPLN. 2818/2015**

These bail applications are filed under Section 439 Cr.P.C. read with 482 Cr.P.C. seeking bail in case FIR No.175/09 under Sections

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406/420/467/468/34 IPC registered at PS EOW, Delhi.

Learned counsel for the petitioners submit that the petitioners have been falsely implicated in this case and they are in judicial custody since 29.04.2014. He also submits that co-accused Col.B. Basra and Rajan Jain have been released on bail.

Mr.S.P.N. Tripathi, learned counsel for the petitioners submits that he is not pressing the application for regular bail at this stage. However, he requests for grant of interim bail.

Learned counsel for the petitioners submits that Smt.Krishna Aggarwal, wife of petitioner-Ramesh Chand Aggarwal and mother of Mr.Neeraj Aggarwal is suffering from Spngilitys and she had undergone surgery of spinal cord. He also submits that Kumari Shailia Aggarwal, daughter of petitioner-Ramesh Chand Aggarwal and sister of petitioner-Neeraj Aggarwal is disabled with 50% permanent disability as per disability certificate issued by Dr.Baba Saheb Ambedkar Hospital. He also submits that there is no other person to look after Smt.Krishna Aggarwal.

Leanred counsel for the petitioners submits that charge-sheet was filed against Ramesh Chand Aggarwal and supplementary charge-sheet was filed in April 2014.

Learned counsel for the petitioners further submits that the petitioner-Ramesh Chand Aggarwal is admitted in ICU of DDU Hospital due to heart ailment.

Learned APP for the State submits that petitioner-Ramesh Chand Aggarwal was arrested in 2011 and he was admitted to

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interim bail on 22.03.2012 and he absconded. Thereafter, he was arrested on 29.04.2014. He further submits that the petitioner Neeraj Aggarwal was declared proclaimed offender and he was arrested on 29.04.2014.


Mr.Kamal Ghai, learned APP for the State, on instructions, submits that Investigation Officer has confirmed that the petitioner Ramesh Chand Aggarwal is admitted in ICU of DDU Hospital.

Considering the fact that Ms.Shailia Aggarwal, daughter of Ramesh Chand Aggarwal and sister of Neeraj Aggarwal is disabled with 50% permanent disability as per disability certificate issued by Dr.Baba Saheb Ambedkar Hospital, Delhi, the fact that Smt.Krishna Aggarwal, wife of Smt.Ramesh Chand Aggarwal and mother of Mr.Neeraj Aggarwal has undergone surgery, the fact that the petitioner Ramesh Chand Aggarwal is admitted in ICU of DDU Hospital as well as the fact that charge-sheet has already been filed, in my view the petitioners are entitled to interim bail for a period of two months on furnishing their personal bond in the sum of Rs.50,000/- each (Rupees fifty thousand) with one surety of the like amount each to the satisfaction of the concerned trial Court/Duty M.M. However, the petitioners shall not leave the country without prior permission of the trial Court.

The petitions stand disposed of.

DASTI.

DECEMBER 28, 2015/gm

  
28/12/15  
V.P.VAISH  
(VACATION JUDGE)