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

+ BAIL APPLN. 3103/2022, CRL.M.A. 481-482/2023 &
CRL.M.A. 1206/2023

VARABHAY KUMAR Petitioner

versus

STATE Respondent

+ CRL.M.C. 5005/2022, CRL.M.A. 20017/2022, CRL.M.As. 1197-
1198/2023

VARABHAY KUMAR Petitioner

versus

STATE Respondent

Present: Mr.Shreeyash U. Lalit, Mr.Abhinav Aggarwal, Mr.Nikhilesh
Kumar, Mr.K.Akshay and Ms.Runjhun Garg, Advocates for the
petitioners.
Mr.Amit Sahni, APP for the State with SI Sanjeet Kumar, PS
Mandawali.

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Date of Decision: 28.04.2023

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. In terms of the orders of this court dated 17.01.2023 Insp.Kashmiri Lal,
PS Mandawali has filed the status report, which reads as under:

1. *That, in continuation of previous SR, it is submitted that on
02/01/23 the petitioner was admitted to IBHAS Hospital which was*

then referred to RML / Safdarganj Hospital by Dr. Sourav Hazra for Neuro surgery.

2. That, then petitioner was taken to RML Hospital from where petitioner was again referred to IBHAS Hospital by Dr Deepak Sharma after checkup and giving some medicine on the night of 02/01/23.

3. That, the petitioner was admitted to IBHAS Hospital on 02/01/23 and discharged from the IBHAS Hospital on 23/01/23.

4. That, now the petitioner's physiotherapy treatment is going on at his home and petitioner's left side is paralysed (left hand and left leg).

5. That, on 26/04/23, the petitioner was arrested and according to the order of the Hon'ble court was released on anticipatory bail on furnishing bail bond in the sum of Rs 10,000/-

6. That, keeping in view above mentioned facts undersigned is ready and willing to follow any direction/order passed by this Hon'ble court.

2. The status report indicates that the petitioner's left side is paralyzed (left hand and left leg). It has been submitted that other accused persons are already on bail.
3. In view of the medical condition of the petitioner, the petitioner is admitted to bail on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Investigation Officer/trial court, subject to the following conditions:

a) the petitioner shall cooperate in the investigation and appear before the Investigating Officer of the case as and when required;

b) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

c) the petitioner shall provide his/her mobile number(s) to the Investigating Officer and keep it operational at all times;

d) the petitioner shall drop a PIN on the Google map to ensure that his location is available to the Investigating Officer; and

4. With the above directions, the BAIL APPLN. 3103/2022 along with the pending applications stands disposed of.

CRL.M.C. 5005/2022

5. The present petition i.e. CRL.M.C. 5005/2022 has been moved with the following prayer:

(i) set aside the order dated 4.10.2021 and 12.1.2022 passed by the Ld. Metropolitan Magistrate, Karkardooma Court in FIR No. 355 of 2021 PS Mandawali u/s 307/308/506/120-b/34 IPC.

6. Since vide the above order in BAIL APPLN. 3103/2022 , the petitioner has been admitted to anticipatory bail, the impugned orders dated 04.10.2021 and 12.01.2022 passed by the learned Metropolitan Magistrate, Karkardooma Court arising from case FIR No.355/2021 registered under sections 308/506/34 IPC at PS Mandawali Fazalpur are set aside and accordingly CRL.M.C. 5005/2022 along with pending applications stands disposed of.

DINESH KUMAR SHARMA, J

APRIL 28, 2023

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