

Mona Vs State

Court: Delhi High Court

Date of Decision: Feb. 12, 2019

Acts Referred: Indian Penal Code, 1860 " Section 34, 120B, 302, 395, 396, 412, 452

Hon'ble Judges: Sunil Gaur, J

Bench: Single Bench

Advocate: Adit S. Pujari, Neelam Sharma

Final Decision: Disposed Of

Judgement

Sunil Gaur, J

Petitioner seeks regular bail in FIR No.321 of 2013 under Sections 302/452/395/396/412/120B/34 IPC registered at Police Station Vivek Vihar, Crime

Branch, East Delhi.

Status Report and the medical report have been obtained from the concerned Sr. Medical Officer of Tihar Jail.

Petitioner's counsel presses for

interim bail for a period of two months to enable to get herself treated from a private hospital.

Learned Additional Public Prosecutor for State submits that petitioner is the master mind who had got four persons murdered, while committing

dacoity in the house of the complainant and that petitioner can be treated in the government hospital while in custody.

Upon hearing and on perusal of the FIR of this case, status report as well as medical report, I find that gravity of the offence persuades this Court to

decline bail to petitioner.

As far as interim bail on medical ground is concerned, I find that the examination of the public witnesses is yet to take place and if interim bail is

granted to petitioner for medical purpose, then she is likely to misuse the bail and tamper with the evidence. However, the medical report of petitioner

reveals that she has been suffering from stone in the gall bladder and thyroid problem also. In view of the medical report, it is deemed appropriate to

direct the concerned Jail Superintendent to ensure that petitioner is taken to hospital of her choice at her expense for medical treatment. The Jail

Superintendent be apprised of this order forthwith to ensure its compliance.

Without commenting upon merits, this application is accordingly disposed of.