



## Interim Bail to Delhi Chief Minister

[Source: IE](#)

The [Supreme Court of India](#) has granted **interim bail** to the Delhi [Chief Minister](#) after he was arrested by the [Enforcement Directorate](#) in the [Delhi Liquor Policy case](#) in March 2024.

- The court stated that **temporary release**, known as "**interim bail**", can be granted in certain cases where there are **compelling reasons and grounds**, even if regular bail would not be considered justified.
  - Bail is the **temporary release of an accused person awaiting trial**, usually granted upon payment of a set amount of money to the court.
  - The purpose of bail is to ensure that the **accused will return for their court** appearances.
  - Bail is typically granted at the **discretion of the court**, based on factors such as the severity of the alleged crime, the defendant's criminal history, and the likelihood of fleeing.
  - **Interim bail** is granted temporarily during the pendency of a case when regular bail cannot be immediately obtained.
  - The term "**interim bail**" is **not** explicitly defined in the [Code of Criminal Procedure \(CrPC\)](#).

# BAIL AND RELATED PROVISIONS IN INDIA

*"The issue of bail is one of liberty, justice, public safety, and burden of the public treasury, all of which insist that a developed jurisprudence of bail is integral to a socially sensitised judicial process."*

—Justice V.R. Krishna Iyer

## Constitutional Provision for Arrest - Article 22:

Grants protection to individuals arrested or detained, with detention classified into two types:

- ➡ **Punitive detention:** To punish a person for an offence committed by him after trial and conviction in a court
- ➡ **Preventive detention:** Detention of a person without trial and conviction by a court

**Criminal Procedure Code, 1973:** Doesn't define bail, but defines bailable and non-bailable offences:

Type of Offence	Bailable	Non-Bailable
■ <b>Defined under CrPC as:</b>	An offence mentioned in Schedule 1, or An offence made bailable by any other law	Any offence other than bailable
■ <b>Power to Grant Bail</b>	Bail as a right	Court/Police discretion based on the facts

## Bail vs Parole vs Probation

Bail	Parole	Probation
■ <b>Temporary release</b> of defendant awaiting trial or appeal, secured by deposit to guarantee their appearance in court	When person gets <b>some time off from jail sentence</b> , for instance, to fulfil some requirements	<b>Suspension of sentence</b> of an offender, allowing to stay in community under supervision of an officer
■ <b>Granted by Judge</b>	By Parole Board	By Judge

## Types of Bails in India

- **Regular Bail:** Court's order to release person under arrest in police custody
- **Interim Bail:** Court grants temporary relief until application for Anticipatory Bail or Regular Bail is decided
- **Anticipatory Bail:** Bail granted preemptively to prevent arrest
- **Default Bail:** When police fail to complete investigation within specified period
- **Medical Bail:** Solely on medical grounds

## Cancellation of Bail - Certain Grounds

- Misuses his liberty by indulging in criminal activity
- Interferes with course of investigation
- Tampering of evidence
- Threatens witnesses, etc



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