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

+ **BAIL APPLN. 2487/2018**

GR. CAPT. ARUN MARWAHA

..... Petitioner

Through Ms. Mona Monica, Mr. S.S. Dash,
Mr. Rasmi Kumar, Ms. Sunita P. and
Ms. Anita Padi, Advocates.

versus

STATE

..... Respondent

Through Mr. Hirein Sharma, APP for the State.
SI Sumit Kumar, Special Cell,
Janakpuri.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **26.10.2018**

1. Status report has been filed in Court. The same is taken on record.
2. Petitioner seeks interim bail for three months for undergoing medical surgery.
3. It is contended that the petitioner was suffering from Inguinal Hernia and was under regular treatment from jail authorities. The petitioner, being an officer of Air Force, was also entitled to treatment from Armed Forces Hospital. Under orders of the Trial Court as well as this Court dated 23.10.2018, the petitioner was taken to Base Hospital, Delhi Cantt for treatment.
4. Report has been received from jail authorities, which confirms that the petitioner has been sent for surgery to Base Hospital on 24.10.2018 as surgery was scheduled on 25.10.2018.

5. Learned counsel for the petitioner submits that the petitioner has undergone surgery on 25.10.2018 and instead of laparoscopic surgery, on account of the medical condition, the petitioner has undergone open surgery and the recovery period is 3 - 4 weeks.
6. Keeping in view of the nature of allegations and the fact that the petitioner has already been admitted to Base Hospital, Delhi Cantt, I am not inclined to release the petitioner on interim bail at this stage.
7. However, it is directed that the petitioner shall remain in Base Hospital, Delhi Cantt for treatment and post operative recovery for the period as may be required by the attending doctors. The petitioner shall remain in judicial custody during the said period and after the doctors certifying him fit, he shall be transferred back to jail.
8. Copy of the medical record of the petitioner, as is available or may be available subsequently with the Investigating Officer, be supplied to the petitioner.
9. The petition is disposed of in the above terms.
10. Order Dasti under the signatures of the Court Master.

SANJEEV SACHDEVA, J

OCTOBER 26, 2018

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