

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

% *Date of decision : 21.04.2023*

+ **BAIL APPLN. 494/2023**

FARAZ KHAN @ BABLOO

..... Petitioner

Through: Mr. S.R Malik and Mr.  
L.N.Rao, Advocates.

versus

STATE GNCT OF DELHI

..... Respondent

Through: Mr. Amit Ahlawat, APP for the  
State with SI Rjendra Prasad,  
Narcotics Squad West.

**CORAM:**

**HON'BLE MR. JUSTICE RAJNISH BHATNAGAR**

**RAJNISH BHATNAGAR, J (ORAL)**

1. The present petition has been filed under Section 439 Cr.P.C. seeking interim bail for a period of 60 days on medical ground in case FIR No. 514/2021 under Sections 21/25/29 NDPS Act Police Station Moti Nagar.

2. Learned counsel for the petitioner submitted that the petitioner is 40 years of age and has a history of serious medical conditions being Cardiovascular Concerns, severe heart conditions, Pancreatitis as well as Arthritis. He further submitted that though the petitioner has been regularly undergoing health checkups at government hospitals like DDU

Hospital; G B Pant Institute of Post Graduate Medical Education and Research; V.M.M.C. & Safdarjung Hospital as well as in the Central Jail Hospital, Tihar, but the petitioner is not getting proper medical assistance from these hospitals. He further submitted that the petitioner has been prescribed with certain medications along with the consistent balanced diet and these are of utmost importance for recovering fully from the above said health ailments and for this purpose, the petitioner is required to be released on interim bail so that he can get the proper care and attention at his home. He further submitted that health of the petitioner is considerably deteriorating and Cardiovascular Concern has aggravated which is affecting his well being within the jail premises.

3. On the other hand, learned APP for the State by arguing on the lines of the medical status report received from the office of Senior Medical Officer, Dispensary, Central Jail, Tihar submitted that the petitioner is being provided with appropriate and proper medical treatment by the concerned jail dispensary. He further submitted that the petitioner has been a regular follow up patient with the jail senior resident medicine who has advised him various medications after due medical inspection.

4. I have perused the medical status report dated 08.04.2023 received under the signature of Medical Officer In-charge, Central Jail No. 03, Tihar. A bare perusal of the same reveals that the petitioner is receiving proper medical care in the jail, and in case, if requires, he is being referred to the hospital

outside the jail as well for appropriate treatment. In my opinion, there is no urgency for the petitioner to be released on interim bail on the medical grounds at this stage in the circumstances where the general medical condition of the petitioner is reported to be stable in the medical status report dated 08.04.2023. The contention of the learned counsel for the petitioner that he is not being properly treated in the above said hospitals is totally baseless.

5. Accordingly, the reasons mentioned in the petition do not make cogent ground to release the petitioner on interim bail.

6. Therefore, the present petition along with pending application, if any, stands dismissed.

**RAJNISH BHATNAGAR, J**

**APRIL 21, 2023**

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