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

+ **BAIL APPLN. 504/2024**

RANBIR SINGH

..... Petitioner

Through: Mr. Worso Zimik and Mr. Yurngam
A. Shimray, Advocates

versus

STATE THROUGH SHO

..... Respondent

Through: Mr. Manoj Pant, APP for the State
with SI Sumit, Special Cell/SR, Saket
Delhi.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
28.02.2024

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1. The instant application under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of applicant seeking grant of interim bail in case arising out of FIR bearing No. 43/2023 registered at Police Station Special Cell, Delhi for offence punishable under Sections 18/25/29 of Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act').
2. Issue notice. Mr. Manoj Pant learned APP accepts notice on behalf of the State.
3. Learned counsel appearing on behalf of the applicant argues that the applicant was granted interim bail *vide* order dated 21.11.2023 by this Court on medical grounds for a period of two months. It is submitted that the



applicant while on interim bail was on constant medical care and observation. It is further submitted that during his medical treatment doctor of Regional Institute of Medical Sciences, (RIMS) Imphal, West Manipur had advised the applicant to take four more weeks extension for treatment of coronary artery disease and diabetes mellitus. The report of the same is also placed on record. It is further submitted that on 29.01.2024 the applicant had filed an application for extension of his interim bail before this Court. However, before the said application for extension of interim bail could be heard, the applicant had surrendered before the concerned authorities in the evening of 29.01.2024 and *vide* order dated 05.02.2024 this Court had passed an order for the said application becoming infructuous and had been dismissed as withdrawn. Therefore, the applicant is before this Court seeking interim bail on medical grounds to finish his medical treatment of coronary artery disease and diabetes mellitus at RIMS, Hospital as per the medical report dated 27.01.2024.

4. *Per Contra*, learned APP for the State opposes the present application and argues that as per the latest medical report dated 19.02.2024 the applicant herein is being treated by the jail visiting doctors and is receiving proper medical care. Therefore, bail be rejected.

5. This Court has heard arguments on behalf of both the parties and has perused the material placed on record.

6. This Court notes that as per medical certificate dated 27.01.2024 issued by the Office of the Department of Medicine, RIMS Hospital, where the applicant is already being treated for coronary artery disease and diabetes mellitus, the applicant requires treatment for further 4 weeks to restore his medical health. The same reads as under:



“MEDICAL CERTIFICATE

This is to certify that Mr/Mrs/Miss. Ranbir Singh Garcha, F/o.S/o.D/o.H/o. L. Sweety Chanu, aged about 44 years, an inhabitant of United India Insurance Building, 5th Floor, Thangal Bazar bearing RIMS Hospital MRD/OPD No. 20240028823... whose signature is given below was examined by me and found him/her suffering from Coronary Artery Disease, Diabetes Mellitus.

I consider that a period of absence from duty of..... with effect from 4 weeks is absolutely necessary for the restoration of his/ her health.

- 1 Signature of the patient:
- 2 Two identification marks of patient: A small cut mark above the nose between the two eyes.

He/She is not related to me....”

7. This Court has also gone through the medical report dated 19.02.2024 received from the office of Superintendent, Central Jail No. 04, Tihar, New Delhi. The relevant portion of the same is reproduced as under:

“...At present, inmate patient is a follow-up case of young onset Diabetes Mellitus,? MODY vs Type-11 Diabetes Mellitus (despite insulin and anti-diabetic medication), Phimosis (for which he was advised for work-up for circumcision Surgery after Diabetic control), DSPN, on and off Bleeding per rectum, pain while defecation, increased blood sugar, decreased sleep, Ghabhrahath, for which he is receiving treatment from doctor on duty/ jail visiting Medicine, Surgery & psychiatry specialist/DDU Hospital/Safdarjung Hospital. Inmate patient was also planned for Surgery of phimosis but same could not be conducted because of his uncontrolled Blood Sugar. Further inmate patient is planned for review with department of Endocrinology at Safdarjung Hospital accordingly....”



8. This Court notes that the medical report dated 19.02.2024 received from the office of Superintendent, Central Jail No. 04, Tihar, New Delhi does not dispute the fact that the applicant is suffering from coronary artery disease and diabetes mellitus and is on medications for the same from last few years. The applicant's condition qua the said medical issue has worsened since the time he has been in judicial custody. Also, the applicant has been visiting Jail dispensary regularly with complaints of various medical issues. This Court observes that there is no doubt about the fact that the treatment which the applicant requires at this stage, especially the one relating to coronary artery disease and diabetes mellitus cannot be provided to him in jail dispensary since the prisons are non – equipped to deal with such situations as they lack appropriate machines and equipment required to carry out such procedures. Furthermore, though the applicant has been referred to jail referral hospitals on multiple occasions, however, the present applicant had been granted interim bail *vide* order dated 21.11.2023 and was being treated at RIMS Hospital for coronary artery disease and diabetes mellitus from 2 months and a medical certificate dated 27.01.2024 specifically provides that further treatment of 4 weeks is required to be given to the applicant for his proper recovery.

9. In these circumstances, this Court is inclined to grant interim bail to the present accused/applicant on applicant furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned, for a period of 15 days on the following terms and conditions:

- (i) The applicant shall remain available on mobile numbers; shared



by him with the Police.

(ii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.

(iii) The applicant shall duly surrender before the concerned Superintendent Jail after the expiry of interim bail.

10. The application stands disposed of in the above terms.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 28, 2024/ns

Click here to check corrigendum, if any