



\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

BAIL APPLN. 1112/2024

PARVEEN

.....Petitioner

Through: Mr. Mohit Rana, Ms. Sapna Kumari,
Mr. Anuj Raj, Ms. Manjula Khatri
and Mr. Gajender Singh, Advocates.

versus

STATE OF NCT OF DELHI THROUGH ACP PS SPL CELL

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Deepak Biswas, Mr. Rohit
Kumar, Mr. Pratap Singh, Mr.
Hemant Singh and Mr. Vineet
Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

21.08.2024

CRL.M.(BAIL) 871/2024

CRL.M.A. 22483/2024

By way of the present applications filed under section 482 of the Code of Criminal Procedure 1973 ('Cr.P.C.'), the petitioner/applicant seeks extension of interim bail granted *vide* order dated 08.04.2024 on the ground that he is suffering from Aspergilloma and requires surgery to cure that disease.

2. Though no formal notice has been issued on CRL.M.(BAIL) No. 871/2024, notice on CRL.M.A. No. 22483/2024 was issued on 31.07.2024. Since the petitioner has been placing on record additional medical documents from time-to-time, status reports dated 05.04.2024, 31.07.2024 and 02.08.2024 have been filed; and the latest



status report dated 20.08.2024 has been handed-up in court today. The same is taken on record.

3. Mr. Mohit Rana, learned counsel appearing for the petitioner has drawn attention to the petitioner's medical records, *inter-alia* the medical status report dated 05.04.2024 received from the Dispensary, Central Jail, Rohini, New Delhi to submit that the report would show that immediately after his arrest on 16.11.2022, the petitioner had to be admitted to Dr. BSA Hospital, New Delhi on 18.11.2022, from where he was discharged on 21.11.2022; and that thereafter he has been constantly in-and-out of the jail dispensary and various hospitals by reason of his persistent illness.
4. Counsel submits, that as is seen from the medical records appended to the petition, the petitioner has been advised "*left upper lobe lobectomy*", which is the removal of a portion of his left lung, which has been causing the petitioner to vomit blood upon coughing.
5. Counsel further submits, that in fact the medical records show that the petitioner was given a provisional date for admission on 13.08.2024 at the VMCC & Safdarjung Hospital, New Delhi, which however could not materialise, since according to the petitioners, doctors were on strike on that date in solidarity with certain unfortunate developments that had taken place in Kolkata.
6. Placing reliance on status report dated 20.08.2024, Mr. Manoj Pant, learned APP appearing for the State submits, that the petitioner's medical condition has been verified and the Department of Cardiothoracic & Vascular Surgery at the VMCC & Safdarjung Hospital, New Delhi has confirmed that the petitioner was advised



admission to the hospital for surgery; and the doctors have also said that the required duration of the petitioner's admission to hospital would depend on the state of his recovery after surgery.

7. The petitioner's nominal roll dated 05.04.2024 shows that the petitioner has been in custody since 16.11.2022; and as of that date he had been in jail for more than 11 months. The nominal roll further reflects that though the petitioner has another criminal involvement, viz. in FIR No. 266/2019 registered under sections 419/420/120-B/511 IPC at P.S. Uttam Nagar, Delhi, he has been granted bail in that case; and that his overall jail conduct has been 'satisfactory'.
8. The nominal roll also shows that apart from the interim bail granted to the petitioner *vide* order dated 08.04.2024 made in the present proceedings, which was extended from time-to-time until today, he has been released on interim bail on 02 earlier occasions, i.e. 16.09.2023 and 23.01.2024 and there is no allegation that he violated any condition of the interim bail granted to him on the two occasions.
9. Upon an overall conspectus of the facts and circumstances of the case, and considering that the petitioner's medical record shows that he has been advised surgery, the court is persuaded to extend the *interim bail* granted to the petitioner by a further period of 04 weeks from today, subject to the same terms and conditions as were imposed *vide* order dated 08.04.2024; with a further direction that he would obtain a date for admission to hospital and undergo surgery as advised *vide* OPD Card/Prescription dated 13.08.2024, appended to Status Report dated 20.08.2024.
10. Applications stand disposed-of in the above terms.



BAIL APPLN. 1112/2024

11. In terms of the relief granted to the petitioner in the above 02 applications, the present interim bail petition, by which he had sought interim bail for 04 months, is also disposed-of.
12. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.
13. The petition is disposed-of.
14. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 21, 2024

V.Rawat