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

+ **BAIL APPLN. 2066/2024**

PANKAJ MEHRA

.....Petitioner

Through: Mr. Vipul Sharma, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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30.07.2024

CRL.M.(BAIL) 1256/2024 (u/S 439 of Cr.P.C., 1973) & BAIL APPLN. 2066/2024 (u/S 439 of Cr.P.C., 1973)

1. By way of present application and the bail petition, the petitioner seeks the following relief: -

CRL.M.(BAIL) 1256/2024

“It is most respectfully prayed before this Hon’ble Court that in view of the above-mentioned facts and circumstances of the present matter, this Hon’ble Court may be pleased to issue direction to release the petitioner/accused on interim bail for the period of 15 days to get done all the prescribed medical tests, in the interest of justice.”

BAIL APPLN. 2066/2024

“It is most respectfully prayed before this Hon’ble Court that in view of the above-mentioned facts and circumstances of the present matter, this Hon’ble Court may be pleased to issue direction to release the petitioner/ accused on interim bail for the period of 30 days, in the interest of justice.”



2. It may be noted the relief sought by the petitioner by way of CRL.M.(BAIL) 1256/2024 and BAIL APPLN. 2066/2024 is identical and, therefore, the application and the petition are taken up together, to which, learned counsel for the petitioner has no objection.
3. It is submitted that the petitioner has been suffering from various ailments and because of lack of medical facilities in jail premises and lack of proper care, the petitioner has been suffering from further complications and has developed severe gastric problems and pain in shoulder and eyes.
4. Due to deteriorating condition of the petitioner, he was taken to Dr. Baba Saheb Ambedkar Hospital on 20.02.2024 with a complaint of pain in abdomen, constipation, pain in left shoulder with swelling and tenderness all around. The petitioner was advised physiotherapy and UGI Endoscopy, LFT, UFT tests. However, the physiotherapy facility is not available in Rohini Jail and the Endoscopy of the petitioner has not yet been done so far.
5. It is submitted that on 13.03.2024, the petitioner was again taken in emergency to G.B. Pant Hospital with a complaint of chest pain and stroke, wherein he was advised to undergo Echo, ECG, Brain MRI etc.
6. It is further submitted that despite the best efforts of the Jail Authority, the conditions of the petitioner has not improved and he has been continuously suffering from chronic pain and weakness.
7. On 03.04.2024, the condition of the petitioner deteriorated and he was again taken to Dr. Baba Saheb Ambedkar Hospital in emergency with further complaint of weakness, chronic chest pain, deviation of tongue and blurring vision, for which he was referred to Neurologist, G.B. Pant Hospital after having done Brain MRI and Ultrasound of the petitioner.
8. On 13.04.2024, the petitioner was again taken in emergency to Dr.



Baba Saheb Hospital with the complaint of left facial weakness, blurry of eyes, hearing problem and chest pain, where he was given pain killers and glucose drips.

9. It is submitted that the petitioner's condition is deteriorating and not improving as no effective treatment is being given by the Jail Authority.

10. Hence, the prayer is made that the interim bail be granted for a period of 30 days to the petitioner on account of his deteriorating medical condition.

11. The assertions made on behalf of the petitioner in the application as well as in the petition are fully corroborated by the Medical Status Reports dated 13.06.2024, 27.06.2024, 11.07.2024 and 12.07.2024 filed by the Office of Superintendent, Central Jail No. 10, Sector-19, Rohini, Delhi-110089 and the same have also been supported by the OPD Cards of the petitioner.

12. Keeping in view the Medical Status Reports received from the Office of Superintendent, Central Jail No. 10, Sector-19, Rohini, Delhi-110089 as well as the deteriorating medical conditions of the petitioner which itself states that the petitioner has been suffering from various ailments and is being repeatedly referred to the various Hospitals in relation to his ailments, the present petition is allowed and the petitioner-Pankaj Mehra is granted interim bail in FIR No.504/2017 registered at Police Station Shalimar Bagh, under Sections 302/34 of the Indian Penal Code, 1860 for a period of 30 days from the date of his release for undergoing treatment, upon his furnishing a personal bond in the sum of Rs. 25,000/- and one surety of the like amount to the satisfaction of the learned Trial Court, and further subject to the following conditions: -



- a) The petitioner shall not leave Delhi/NCR without prior permission of the Court;
 - b) The petitioner shall appear before the Court as and when the matter is taken up for hearing;
 - c) The petitioner shall provide his mobile number and also the mobile number of his wife/surety to the IO concerned, both of which shall be kept in working condition at all times and he shall not change the mobile numbers without prior intimation to the Investigating Officer concerned;
 - d) The petitioner shall inform the IO and the Jail Superintendent the address where he shall be available in Delhi.
 - e) The petitioner shall also inform the IO of the Hospital where he is undertaking the medical procedure for his ailment and shall keep updating the IO on a weekly basis of the treatment undergone by him.
 - f) The petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.
13. Upon expiry of period of 30 days, as stated above, the petitioner shall surrender before the concerned Jail Superintendent.
 14. The petition along with application is disposed of.
 15. The next date of hearing i.e., 22.08.2024 stands cancelled.

NEENA BANSAL KRISHNA, J

JULY 30, 2024

S.Sharma