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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 976/2024, CRL.M.A. 22335/2024, CRL.M.A.
22336/2024 & CRL.M.A. 22337/2024

CENTRAL BUREAU OF INVESTIGATIONPetitioner

Through: Mr. Ripu Daman Bhardwaj, SPP with
Mr. Abhinav Bhardwaj, Advocates.

versus

S.S AHLUWALIARespondent

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
01.08.2024

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1. This petition has been filed by CBI assailing the impugned order dated 16.01.2024 passed by Special Judge (P.C. Act), Rouse Avenue District Court, New Delhi.
2. The impugned order was based on an application under Section 105 of the Mental Healthcare Act, 2017 read with Section 329 Cr.P.C. Accused, who is a senior citizen of 88+ years of age, was admitted in Fortis Hospital, Okhla in January, 2023 and was diagnosed with ILD (Fibrocystic Sarcoidosis), Hypertension, LRTI and Osteoarthritis Bilateral Knee infirmities. Later, his health condition deteriorated and developed Alzheimer's disease.
3. A medical Board was constituted at IHBAS which furnished a report



stating that accused was unfit to stand trial and that he is a case of Moderate Dementia with Atypical Parkinson's with Atypical Parkinson's Disease. The condition being progressive and not likely to improve as also having co-morbid conditions.

4. Trial Court recorded testimonies of doctors which formed part of the Board.
5. The Court has perused the same and does not find any reason to interfere with the said impugned order.
6. Accordingly, the said petition is dismissed.
7. Order be uploaded on the website of this court.

ANISH DAYAL, J

AUGUST 1, 2024/KD/kp

Click here to check corrigendum, if any