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

(4)+ BAIL APPLN. 3907/2023

SEHEGAL HOSSAIN S/O LATE AMJAD HOSSAIN

..... Petitioner

Through: Mr.Darpan Wadhwa, Sr. Adv.
with Mr.M.R. Shamshad,
Mr.Arijit Sarkar & Ms.Nabeela
Jamil, Advs.

versus

CENTRAL BUREAU OF INVESTIGATION

..... Respondent

Through: Mr.Anupam S. Sharrma, SPP
for ED with Mr.Prakarsh Airan,
Ms.Harpreet Kalsi,
Mr.Abhishek Batra,
Mr.Ripudaman Sharma,
Mr.Vashisht Rao &
Mr.Syamantak Modgill, Advs.

(5) BAIL APPLN. 3908/2023 & CRL.M.A. 33327/2023

SEHEGAL HOSSAIN S/O LATE AMJAD HOSSAIN

..... Petitioner

Through: Mr.Darpan Wadhwa, Sr. Adv.
with Mr.M.R. Shamshad,
Mr.Arijit Sarkar & Ms.Nabeela
Jamil, Advs.

versus

**DIRECTORATE OF ENFORCEMENT THROUGH
ASSISTANT DIRECTOR**

..... Respondent

Through: Mr.Anupam S. Sharrma, SPP
for ED with Mr.Prakarsh Airan,
Ms.Harpreet Kalsi,
Mr.Abhishek Batra,
Mr.Ripudaman Sharma,
Mr.Vashisht Rao &
Mr.Syamantak Modgill, Advs.



CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

24.01.2024

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1. Pursuant to the order dated 04.01.2024, a report from the Medical Superintendent, AIIMS has been received, which opines as under:-

“The medical board unanimously opines that as of today, based on clinical examination & investigations:

a. The patient is a case of Traumatic recurrent shoulder dislocation of right side. This cannot be addressed without surgery. However surgery is not urgent but elective.

b. 03-05 days of admission could be required in hospital if surgery is performed.

c. The arm is kept in immobilized position for 06-08 weeks in postoperative period and the same can be done in jail. This does not require post operative specialist care in hospital. Further, physiotherapy can be done in any physiotherapy centre on OPD basis.”

2. During the course of submission, it transpired that the petitioner has applied for release on bail in RC0102020A0019 dated 21.09.2020 registered under Section 120-B of the Indian Penal Code, 1860 read with Sections 7/11/12 of The Prevention of Corruption Act, 1988, which is pending adjudication before the Hon'ble Supreme Court.

3. In my opinion, the present application should, therefore, have been moved before the Supreme Court.



4. At this stage, the learned senior counsel for the petitioner prays for leave to withdraw the present applications, with liberty to move the Supreme Court for an appropriate relief and for seeking release on *interim* bail.

5. The applications are dismissed as withdrawn with liberty as prayed for.

NAVIN CHAWLA, J

JANUARY 24, 2024/rv/rp

Click here to check corrigendum, if any