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

+ **BAIL APPLN. 4108/2023 & CRL.M.A. 1227/2024**

MD ADIL KHAN

..... Petitioner

Through: **Mr. Kartik Murukutla, Advocate.**

versus

STATE OF NCT OF DELHI

..... Respondent

Through: **Mr. Yudhvir Singh Chauhan, APP for
the State with Insp. Naresh Kumar, PS: Maurya
Enclave.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

22.01.2024

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1. This application has been filed on behalf of the Applicant Md. Adil Khan S/o Md. Kumar Khan, seeking interim bail on medical grounds of the Applicant for a period of three months in FIR No.36/2015 dated 09.01.2015 under Sections 302/397/34 IPC and Section 27 of the Arms Act, 1959 registered at PS: Maurya Enclave.

2. It is the case of the Applicant that he has been diagnosed as a case of 'Proliferative Diabetic Retinopathy with multi-organ involvement and poor diabetes control'. Applicant requires regular assessment, treatment and follow-up from time to time with the treating Doctors as diabetes mellitus is a life-long progressive disease. It is further stated that Applicant is undergoing investigations, consultations and treatment for his kidney, affected by the high sugar, at AIIMS and for diabetes at Safdarjung Hospital. Applicant is also undergoing treatment for his eye conditions at AIIMS. Medical documents have been appended to the application.



3. Applicant was granted interim bail vide order dated 15.07.2023 on medical grounds by the Trial Court and the same was extended by a period of 30 days by this Court vide order dated 08.11.2023 in BAIL APPLN. 3136/2023 on the same terms and conditions. Interim bail granted to the Applicant was extended in the present bail application on 06.12.2023 till the next date i.e. 12.01.2024 and the State was directed to file a verification report. Court further directed that the medical documents of the Applicant be forwarded to the Jail Authorities who shall submit a report whether the treatment of the Applicant can be managed from Jail. On 12.01.2024, the matter was adjourned to 22.01.2024 i.e. today as the verification report was not received from the Jail Authorities.

4. Medical report dated 19.01.2024 has been sent by the concerned Jail Superintendent and has been perused by the Court. It is stated in the report that the Applicant is a follow-up case of diabetes mellitus, hypertension, bilateral proliferative diabetic retinopathy, chronic kidney disease and grade-I prostatomegaly with significant post-void residual urine. It is further stated that the Jail Dispensary has round the clock availability of jail duty Doctors and para-medical staff providing OPD services, in-patient service and emergency medical services to inmates. Additionally, Specialist Doctors also visit CJ-10, Jail Dispensary from Central Jail Hospital and Doctor BSA, Hospital and if required, inmates/patients are referred to outside Government Hospitals as per extant Jail rules and orders. If the Applicant requires medical treatment, the same will be given to him and his case will be reviewed regularly and if required, he would be referred to the referral Hospitals including Safdarjung Hospital and AIIMS.



5. In view of the medical report, learned counsel for the Applicant states that the Applicant has taken appointments at AIIMS and Safdarjung Hospital in the near future and his interim bail be extended for a further period of four weeks so that necessary investigations/tests/treatment can be carried out, with liberty to approach the Court in case required, in future.
6. Having heard the counsel for the Applicant and the learned APP and in view of the medical report as well as the present medical condition of the Applicant, this Court deems it fit in the facts of this case to extend the interim bail granted to the Applicant by this Court on 06.12.2023 for a period of four weeks from today, subject to the same terms and conditions as imposed in the order dated 15.07.2023.
7. Applicant shall surrender before the concerned Jail Superintendent on expiry of four weeks from today.
8. Bail application along with pending application stands disposed of.
9. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

JYOTI SINGH, J

JANUARY 22, 2024/shivam