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

+ **BAIL APPLN. 3367/2024**

HARESH MEHTA

.....Petitioner

Through: Mr. Hirein Sharma and Mr. Mohit
Yadav, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP for the
State with SI Rajesh Kumar, P.S.
Vijay Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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18.12.2024

CRL.M.A. 38082/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.M.A. 38081/2024

By way of the present application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks extension of interim bail granted *vide* order dated 11.11.2024.

2. Mr. Hirein Sharma, learned counsel appearing for the petitioner submits, that upon release on interim bail on the ground that he is suffering from a problem in his eyes which has not been fully diagnosed, the petitioner has consulted doctors at the Sankara Nethralaya, Chennai. Learned counsel submits that the petitioner has been put through various tests; that the attending doctors have



confirmed that he suffers from poor vision in both eyes; and that they have called the petitioner for further consultation on 06.01.2025. Documents in support of the aforesaid submissions have been placed on record.

3. Mr. Sharma submits, that the interim bail granted to petitioner expires today. In the circumstances, it is prayed that the interim bail granted to the petitioner be extended appropriately.
4. Issue notice.
5. Mr. Tarang Srivastava, learned APP appears on behalf of the State on advance copy; accepts notice; and submits that there does not appear to be any definitive diagnosis of whether the petitioner has any serious eye ailment for which he requires extension of interim bail.
6. Be that as it may, considering the documents placed on record, the interim bail granted to the petitioner is extended till the next date of hearing before this court, directing the Investigating Officer to obtain answers to the following queries from the doctors of the Department of Ophthalmology at the All India Institute of Medical Science, New Delhi :
 - 6.1. What is the exact ailment, if any, that is afflicting the petitioner's eyes ?
 - 6.2. What is the medically prescribed course of action, if any, for the said ailment ?
 - 6.3. Whether the treatment for the said ailment requires any specialised procedure or it can be attended to in the usual course by the medical facilities available in jail ?



7. The I.O. is directed to furnish to the doctors at AIIMS the available medical records relating to the petitioner. Let the petitioner also make himself available for examination at AIIMS.
8. Let status report alongwith the response of the attending doctors be filed before the next date; with copy to the opposing counsel.
9. Re-notify on 13th January 2025.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 18, 2024

V.Rawat