



\$~1

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

+ **BAIL APPLN. 3397/2024**

DHARMENDER KUMAR

.....Petitioner

Through: Mr. Pramod Kumar, Mr. Rahul Singh
and Mr. Rajvir Singh, Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastva, APP for the
State with Sub Inspector Dharmender
Kumar and SI Vaseek A.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

26.09.2024

CRL.M.A. 28459/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 3397/2024

By way of the present petition filed under section 439 of the Code of Criminal Procedure 1973, the petitioner seeks extension of interim bail granted *vide* order dated 08.08.2024, which was subsequently modified *vide* order dated 22.08.2024.

2. Notice on this petition was issued on 20.09.2024. Status report dated 24.09.2024 has been filed by the State.
3. Mr. Pramod Kumar, learned counsel appearing for the petitioner submits, that subsequent to the modification order, the petitioner was



released from prison only on 12.09.2024, whereupon he has attended to his 02 medical issues.

4. Alongwith Status report dated 24.09.2024, the State has enclosed the responses received from Dr. D.K. Dhiraj of Sir Ganga Ram Hospital in relation to the orthopaedic ailment suffered by the petitioner; and from Dr. Sushil Goyal of Goyal Piles Care Centre in relation to the problem of fissure in ano suffered by the petitioner.
5. Insofar as the issue of orthopaedic ailment is concerned, in the response given by Dr. D.K. Dhiraj, it stands clarified that the petitioner now needs exercise and intermittent analgesic; no surgical procedure has been advised; and that the medical needs of the petitioner can very well be attended to in jail.
6. Insofar as problem of fissure in ano is concerned, Dr. Sushil Goyal has opined that the petitioner does not require any surgical procedure as of now; but requires certain treatment which needs 02 visits at an interval of 07 days; and the treatment is not possible in prisons since it is an OPD procedure.
7. Learned counsel appearing for the petitioner submits, that as per his instructions, the petitioner is to undergo a second procedure advised for his problem of fissure in ano tomorrow, *i.e.* 27.09.2024; and the physiotherapy advised in relation to his orthopaedic ailment will also end in about 05 days.
8. In the circumstances, counsel submits that the petitioner may be granted some reasonable extension of interim bail whereafter he will surrender.



9. In the circumstances of the case, the interim bail granted to the petitioner *vide* order dated 08.08.2024, which was subsequently modified *vide* order dated 22.08.2024, shall stand further extended by another period of 07 days from today on the same conditions as imposed earlier, whereupon, the petitioner will surrender back to custody.
10. The petition is disposed-of in the above terms.
11. Pending applications, if any, also stand disposed-of.
12. Let a copy of this order be sent to the concerned Jail Superintendent *forthwith*.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 26, 2024/ak