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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3780/2024

SUHAIL @ CHAPPAL

.....Petitioner

Through:

Mr.Chinmaya Sharma, Sr.Adv. with
Mr.Arvind Kumar, Mr.Asis Mishra,
Mr.Nitin Sharma, Mr.Ankit Kumar
and Ms.Shashi Kiran, Advts.

versus

STATE OF NCT OF DELHI

.....Respondent

Through:

Ms.Meenakshi Dahiya, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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25.11.2024

1. The present petition has been filed for an interim bail for thirty days on medical grounds.
2. Learned senior counsel for the petitioner submits that even as per the medical report dated 05.11.2024, the Senior Medical Officer, Central Jail No.15, Mandoli, Delhi, has confirmed that the petitioner is suffering from pulmonary tuberculosis infection. Learned senior counsel submits that the condition of the petitioner is not improving and, therefore, he may be admitted to interim bail for taking appropriate treatment.
3. Learned APP has strongly opposed the request for interim bail on medical grounds. Learned APP submits that in the same report, it has been stated by the senior medical officer that all the medical facilities



are being provided to the petitioner. Learned APP submits the status report dated 06.11.2024 prepared by SHO/Insp. Surender Kumar, PS Jafrabad, has been filed, but the same is not on record. Learned APP has shared a copy of the status report.

4. Let the status report be brought on record.
5. In the detailed status report, it has been stated that the petitioner is an active member of the Hasim Baba Gang. It has been submitted that he is the kingpin of an organised crime syndicate, including the trade of smack, ganja, Satta, extortion, etc. and is a threat to society.
6. Since the medical report indicates that the petitioner is suffering from various ailments, including pulmonary tuberculosis infection, nerve compression, muscle contraction, backaches, etc., it is necessary that he should be provided with appropriate medical aid. However, the court has also taken into account the serious apprehension of the prosecution in admitting the petitioner to interim bail as he is alleged to be an active member of an organised gang.
7. The court considers that to balance the interest, it would be in the interest of justice if the petitioner is admitted to Guru Teg Bahadur Hospital under the custody of the Superintendent of Jail at the expense of the petitioner. The Superintendent of the Jail shall deploy the necessary guards in the hospital. The admission of the petitioner in the hospital shall be as per the advice of the Medical Superintendent, GTB Hospital. The Medical Superintendent of GTB Hospital shall constitute a board to examine the petitioner and shall submit a report to this court within two weeks.
8. It is made clear that during the admission to the hospital, the petitioner



shall continue to be in the custody of the Superintendent of Jail, and all the expenses of the treatment and deployment of the guards will be borne by the petitioner. The necessary diet, as advised by the doctor, be also provided to the petitioner at his expense.

9. With these observations, the petition stands disposed of.
10. Copy of this order be sent to the concerned Jail Superintendent and the Medical Superintendent, GTB Hospital for necessary information and compliance.

DINESH KUMAR SHARMA, J

NOVEMBER 25, 2024

Rb/ht