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

+ **BAIL APPLN. 3837/2024**

DALIP SINGH @ LANGDA

.....Petitioner

Through: Mr.Rajesh Kumar and Mr.Sanjay
Jain, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms.Richa Dhawan, APP for State
with SI Avdhesh Dixit, PS Crime
Branch

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
23.10.2024

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1. The instant petition under Section 439 of the Code of Criminal Procedure, 1973, ("Cr.P.C" hereinafter) now Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" hereinafter) read with Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS" hereinafter) has been filed on behalf of the petitioner seeking extension of interim bail for a further period of 90 days on medical grounds.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner, who is of about 51 years of age, is languishing in jail since 20th August 2021. It is submitted that he is suffering from a fatal disease as he is HIV positive and due to his detention, he is unable to receive proper and timely medical treatment for the same which is highly warranted at this



stage.

3. It is submitted that *vide* order dated 4th September, 2024, the Predecessor Bench of this Court allowed his regular bail application bearing BAIL APPLN No. 2261/2024 in FIR No. 163/2021 filed under Section 20(c) of the NDPS Act, registered at Police Station Crime Branch and the petitioner was granted an interim bail for a period of 6 weeks. It is submitted that in pursuance of the same, he was released on interim bail on 12th September, 2024, which is expiring on 23rd October, 2024, i.e., today.

4. It is submitted that since the date of his release on 12th September, 2024, the petitioner is continuously undergoing medical treatment at Anand Hospital for obtaining effective medical treatment from the said specialized hospital for the treatment of his incurable disease.

5. It is submitted that the petitioner is physically challenged and unable to walk properly as he was operated for a malunion fracture and a rod was inserted in his right leg. It is submitted that due to the aforesaid operation, he has been advised conservative treatment for the pain caused to him in his lower right limb as well as swelling in his right thigh region.

6. It is further submitted that in view of his aforesaid serious health conditions, in case of his further incarceration inside the jail, the same would prove to be fatal to the life of the petitioner as there is an apprehension that his adverse condition would be further deteriorated in an atmosphere such as of a jail.

7. Therefore, in light of the foregoing submissions as well as the fact that the interim bail granted *vide* order dated 4th September, 2024 is expiring on 23rd October, 2024, i.e., today, it is prayed that the petitioner be further extended for a period of 3 months/90 days.



8. During the course of proceedings, learned APP for the State handed over the status report in terms of order dated 22nd October, 2024 passed by this Court, wherein he was directed to verify the medical documents *qua* his medical condition which has been annexed to the instant application. The same is taken on record.

9. Learned APP submitted that as per the status report, the medical documents received from Anand hospital have been duly verified and have been found to be genuine. The same further reflects that the medical treatment is still ongoing as the petitioner is admitted in the aforesaid hospital. It is further stated therein that his operation for the treatment of piles is scheduled on 26th October, 2024.

10. Heard learned counsel for the parties and perused the contents made in the instant application including the status report.

11. Upon perusal of the status report, it is observed that the same categorically states that the petitioner/patient has been advised to undergo an operation for the treatment of piles and the same is scheduled on 26th October, 2024.

12. Therefore, in view of the status report filed by the State and the verification of medical documents as well as the contents made in the application, this Court is inclined to allow the instant application filed by the petitioner seeking extension of his interim bail for his effective treatment.

13. Accordingly, the interim bail granted to the petitioner *vide* order dated 4th September, 2024 passed by the Predecessor Bench of this Court, is hereby extended for a period of four months from today on the same terms and conditions as imposed *vide* order dated 4th September, 2024 passed by the Predecessor Bench of this Court.



14. It is further directed that the petitioner shall remain present before the jurisdictional police station on 25th of every calendar month, for the period of 3 months, starting from the next month, in view of his serious medical condition as well as the operation scheduled on 26th October, 2024.

15. In view of the aforesaid terms, the instant application alongwith pending application(s), if any, stands disposed of.

16. A copy of this order be sent to the Jail Superintendent for compliance.

17. *Dasti.*

CHANDRA DHARI SINGH, J

OCTOBER 23, 2024

SV/SM

Click here to check corrigendum, if any