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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4712/2024**

ANIL

.....Petitioner

Through: Mr. Hirein Sharma &
Mr. Vimal Tyagi, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar
Chahar, APP for the State
Inspector Hira Lal Yadav
& SI Sukhchain, PS- Nihal
Vihar

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
20.12.2024

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CRL.M.A. 38526/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present application is filed seeking interim bail in FIR No. 723/2022 dated 05.07.2022 registered at Police Station Nihal Vihar for offences under Sections 304B/498A/34 of the Indian Penal Code, 1860, on medical grounds.
4. The learned Additional Public Prosecutor for the State, at the outset, submits that appropriate treatment has been provided and all complaints of the applicant have been adequately addressed.
5. He submits that the respondent authorities are bound to address medical condition of every convict including the



applicant for which appropriate facilities have been provided in the jail itself.

6. He submits that the status report also indicates that the applicant had been taken to the hospital on a number of occasions on his complaint and advise has been given by the medical experts.

7. The application filed by the applicant was dismissed by the learned Trial Court taking note of the medical report provided by the Senior Medical Officer & IC, CJ-07, Dispensary, Tihar.

8. The medical report filed by the authorities mentions that the applicant was reviewed in Orthopaedic, ENT, Surgery and Medicine departments at DDU Hospital on 15.10.2024, 22.10.2024, 02.11.2024 and 12.11.2024 pursuant to the complaints made by the applicant about the ailments.

9. The applicant complained about the knee pain and lower back ache. After examination, the applicant was advised certain medications by the Doctors. It was also advised that the applicant should avoid bending forward and lifting heavy weights and should attend physiotherapy sessions.

10. The learned Trial Court considered the copies of various OPD cards of the applicant and the same showed that the applicant had complained of pain in foot and knee on a couple of occasions, and was prescribed certain medications including pain killers.

11. The report also indicated that vitamin tablets were also provided to the applicant and the learned Trial Court noted that there was nothing in the documents to show that the health of the applicant is deteriorating or that the same, at this stage, requires urgent intervention.

12. An appropriate medical treatment has, in fact, been



provided to the applicant and the applicant seems to be not satisfied with the treatment. The same, however, cannot be a ground for admitting the applicant on interim bail.

13. In view of the above, this Court finds no reason to grant interim bail to the applicant on medical grounds.

14. The application is, therefore, dismissed.

AMIT MAHAJAN, J

DECEMBER 20, 2024

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