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

+ **BAIL APPLN. 3525/2025 & CRL.M.A. 27633/2025**

GULSHAN

.....Petitioner

Through: Ms. Tanya Agarwal, Advocate
(DHCLSC), Mr. Krishna Kumar
Keshav, Advocate

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for the State
with SI Kushank, PS Swaroop Nagar

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

08.10.2025

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1. The present application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 439 of the Code of Criminal Procedure, 1973²) seeks interim bail on medical grounds for a period of two months in FIR No. 509/2023 registered under Section 363 of the Indian Penal Code, 1860³ at P.S. Swaroop Nagar.

2. Pursuant to order dated 15th September, 2025, the status report along with report from Office of the Senior Medical Officer, Central Jail No. 11, Mandoli, Delhi have been placed record, and are perused by the Court.

3. The report indicates that the Applicant is suffering from lower backache and has been undergoing medication as advised by the

¹ "BNSS"

² "Cr.P.C."

³ "IPC"



Orthopaedic Surgeon at GTB Hospital since April 2025. The Applicant was examined by the Neurosurgery Department, where the concerned Neurosurgeon opined that the lower back pain stems from an old injury to the lumbar spine and does not require surgical intervention. The medical opinion prescribes conservative management as per the advice of the treating Orthopaedic surgeon.

4. Subsequent to the filing of the present application, the Applicant was re-examined by the Orthopaedic Department of GTB Hospital on 30th September, 2025. During this examination, the Applicant was prescribed medication, recommended exercises, and was advised to follow-up after one month.

5. In view of the foregoing, this Court finds no grounds to grant interim bail to the Applicant at this stage. It is directed that the State shall continue to provide follow-up treatment to the Applicant as advised by the medical officer. In the event, doctors recommend surgical intervention, the Applicant shall be entitled to seek appropriate relief by filing an application before the Trial Court.

6. With the above directions, the present application is disposed of, along with pending application.

SANJEEV NARULA, J

OCTOBER 8, 2025/ab