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

+ **BAIL APPLN. 361/2025**

RAHIS AHMED ALIAS SAHIL ALIAS SANJUPetitioner

Through: Mr. Sunil Tiwari, Advocate through
VC.

versus

THE STATE(NCT OF DELHI)Respondent

Through: Ms. Meenakshi Dahiya, APP for
State.
Insp. G.G. Meena, PS Gokulpuri,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.02.2025

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CRL.M.A. 2564/2025

1. The present Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking condonation of 13 days' delay in re-filing the Bail Petition.
2. For the reasons and grounds stated in the present Petition, the Petition is allowed. The delay of 13 days in re-filing the Petition is hereby condoned.
3. Accordingly, the Application is disposed of.

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4. The present Bail Petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking Interim Bail for a period of two months in FIR No. 375/2018 under Sections



302/34 of the Indian Penal Code, 1860 registered at Police Station Gokalpuri, Delhi, on the medical grounds.

5. It is submitted that the Petitioner is suffering from serious disease i.e., Hernia and he has been advised by the Doctors of the Jail to get his operation of Hernia done.

6. It is further submitted that the condition of the Petitioner is serious and his disease is not getting cured in the Government Hospital.

7. Therefore, the Interim Bail of two months has been sought by the Petitioner to get himself medically examined, tested and operated outside the Jail in some specialised and sophisticated Private Hospital, which may take him at least two months.

8. **The Status Report** has been received from the Jail Superintendent, wherein it is submitted that the Petitioner is a follow-up case of Left Inguinal Hernia at Surgery Department, GTB Hospital. He had lastly followed up on 13.12.2024 whereby he has been advised to undergo a surgery on 07.02.2025 with the permission from the Jail Authority and permitting one relative to stay with the Petitioner during his Hospital stay.

9. **Learned Additional Public Prosecutor** on behalf of the State submits that the surgery is scheduled for 07.02.2025 and one relative has been permitted to stay with the Petitioner during his Hospital stay. Moreover, the Petitioner is being taken care of appropriately by the Jail Authority.

10. Learned Additional Public Prosecutor, on instructions, further submits that the wife, namely, Smt. Iram shall be permitted to stay with the Petitioner during his hospitalisation. It is thus, submitted that there is no ground left to grant Interim Bail.



11. **Submissions heard and record perused.**

12. Considering that the Petitioner's surgery is scheduled on 07.02.2025, no ground survives for grant of Interim Bail. However, Jail Authority is directed to ensure that the Petitioner is admitted in time in the Hospital for his scheduled surgery on 07.02.2025 and his wife Iram shall be permitted to remain with him as an attendant, till he remains admitted in the Hospital. The Jail Authority shall also ensure that proper medical care is made available to the Petitioner.

13. The present Petition is accordingly disposed of.

14. The copy of the Order be communicated to the Jail Superintendent for due compliance.

NEENA BANSAL KRISHNA, J

FEBRUARY 3, 2025

S.Sharma