



\$~54

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

+ **BAIL APPLN. 842/2026**

RAHUL GUPTA

.....Petitioner

Through: Mr. Rajiv Mohan, Advocate

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
State with ACP Vijay Singh and SI
Subodh Kumar.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

%

26.02.2026

CRL.M.A. 6435/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

BAIL APPLN. 842/2026 (interim bail on medical ground)

3. By way of the present application, the applicant is seeking interim bail for a period of 04 weeks on the ground of serious illness of his mother, in case arising out of FIR bearing no. 397/2019, registered at Police Station Hari Nagar, Delhi, for the commission of offences punishable under Sections 3/4 of the Maharashtra Control of Organised Crime Act, 1999 (hereafter 'MCOCA').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. The learned counsel appearing on behalf of the applicant submits that



the applicant's mother, who is about 70 years of age, is suffering from cancer and has been advised appropriate treatment. It is contended that prior to undertaking surgery, cardiac clearance was required; however, the same could not be obtained due to her medical condition. Consequently, the doctors proceeded with radiotherapy for management of the cancer. It is, therefore, prayed that the applicant be released on interim bail for a period of four weeks in order to make arrangements for taking care of his ailing mother.

6. *Per contra*, the learned APP for the State opposes the present application, contending that the medical treatment record filed by the applicant does not disclose any medical condition warranting grant of interim bail. It is further argued that the applicant is facing prosecution under MCOCA and is involved in about 20 criminal cases. On these grounds, it is prayed that the application be dismissed.

7. This Court has **heard** submissions advanced on behalf of the applicant as well as the State and has perused the material available on record.

8. Upon consideration of the record, this Court finds that the latest medical document placed on record is dated 05.02.2026. The said medical record does not reflect that the patient is required to be admitted to the hospital or that any emergent medical condition presently exists. The record is an outpatient department (OPD) slip, which notes that there are no fresh complaints and that the patient has been advised follow-up after two weeks for further evaluation.

9. It is also noted that the applicant had earlier been granted interim bail on similar grounds in connection with the proposed surgery of his mother.



However, since the surgery could not be conducted at that time and radiotherapy was being administered, the applicant was granted interim bail for a period of only one week *vide* order dated 02.12.2025 passed by the learned Predecessor Bench. Thereafter, an application seeking extension of interim bail was moved by the applicant, which came to be dismissed *vide* order dated 11.12.2025, wherein it was observed that there are other family members available to take care of the applicant's mother.

10. In view of the aforesaid facts and circumstances, this Court, at this stage, finds no sufficient ground to grant interim bail to the applicant.

11. Accordingly, the present application is dismissed.

12. It is, however, clarified that this order shall not preclude the applicant from approaching the Court again by way of an appropriate application for interim bail, in case any such need arises.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 26, 2026/vc

TD