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

+ **BAIL APPLN. 1195/2026**

GAURAV SINGH CHAUHAN

.....Applicant

Through: Mr. N. Hariharan, Sr. Adv. with
Mr. Siddharth S. Yadav, Mr. Rahul,
Mr. Aayush Kumar, Ms. Kashish
Ahuja, Ms. Akriti Gupta, Mr. Arjan
Singh, Ms. Rekha Punya, Mr.
Aman Akhtar, Ms. Vasundhara
Tyagi and Ms. Vasundra N., Advs.

versus

NCB

.....Respondent

Through: Ms. Shelly Dixit, Adv. for Mr.
Arun Khatri, SSC for NCB

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
02.04.2026

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1. Learned ASC for the NCB has handed over a copy of the verification report regarding the present medical condition of the applicant, who is seeking interim bail on medical grounds, which is taken on record. The relevant contents thereof are reproduced as under:

“4 That in response to the aforesaid communication, the concerned hospital authorities have furnished a detailed report verifying the authenticity of the medical documents submitted by the petitioner/accused. It is submitted that although the petitioner is stated to be undergoing treatment and a surgery date was indicated as 30.03.2026, the medical opinion provided by the treating doctor does not support the urgency as sought to be projected by the petitioner.



5. *It is pertinent to submit that, in reply to query no. 7, wherein the doctor was specifically asked whether the petitioner's condition poses any immediate or foreseeable risk to his health in case the surgery is delayed, the doctor has categorically stated that there is no risk to life if the surgery is postponed. This clearly establishes that the medical condition of the petitioner is not critical or life-threatening in nature.*

6. *It is further submitted that, in response to query no. 8, the doctor has opined that the said surgery can be performed at any government hospital. This indicates that the petitioner can avail appropriate medical treatment while remaining in custody or under the supervision of the State, and there exists no compelling or exceptional circumstance warranting any indulgence by this Hon'ble Court. A copy of the response dated 29.03.2026 is annexed and marked as Annexure-A2."*

2. Learned senior counsel for the applicant, on the other hand, has also handed over the latest medical documents dated 30.03.2026 *qua* the medical condition of the applicant, which, also is taken on record.

3. This Court has carefully perused both the foresaid documents.

4. Facts reveal that considering the health condition and purely on humanitarian grounds, as also upon taking a lenient view thereof, especially, the medical prescription dated 20.03.2026, wherein the date of surgery of the applicant was indicated as 30.03.2026, this Court, first granted an interim bail for a period of 28 *days* to the applicant *vide* order dated 25.02.2025. In fact, the said interim bail was extended on the very same terms and conditions bail for a further period of 09 *days* till today *vide* order dated 25.03.2026 as he was to have his surgery in between.

5. However, *admittedly*, though the applicant has remained out on interim bail since 25.02.2026 the surgery is yet to take place.

6. Since it cannot be denied that interim bail is not available to any



accused/ convict as a matter of right and it depends upon the facts and circumstances of each case, considering the existing scenario as on date there is no reason for extending the interim bail to the applicant, who is an accused. More so, since the nominated date of surgery, i.e., 06.04.2026 as per the medical document(s) dated 30.03.2026 handed over by learned senior counsel for the applicant today is ‘tentative’ as the same is contingent on the blood sugar levels of the applicant.

7. Under such circumstances, this Court cannot be expected to keep extending the interim bail granted to the applicant for an indefinite period.

8. As such, the present application is dismissed.

9. At this stage, learned senior counsel for the applicant, without advertng to the merits involved, fairly submits that the applicant shall duly surrender tomorrow in compliance of the earlier order dated 25.02.2026 passed by this Court.

SAURABH BANERJEE, J.

APRIL 2, 2026/So