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

+ **BAIL APPLN. 1506/2026**

AFREEN JAHAN

.....Applicant

Through: **Mr.R. K. Giri, Advocate**

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: **Mr. Raghuinder Verma, APP for the State with Mr. Aditya Vikram Singh, Ms. Upasna Bakshi and Mr. Gourav Singh, Advocates alongwith Insp. Deepak and SI Abhishek Singh, PS.: Wazirabad Mr. Sameer Chandra, Mr. Wiqar A., Mr. Shubham Parashar, Mr. Afnan Sabin and Mr. Eahool Zia, Advocates for R-2**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

28.04.2026

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1. By virtue of the present bail application under *Section 483* read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of interim bail for a period of *three months* in proceedings arising out of FIR No.901/2025 dated 21.11.2025 registered at PS: Wazirabad under *Sections 103(1)/238(a)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).



2. Learned counsel for the applicant submits that the applicant is a young lady who has been under incarceration since 22.11.2025 in connection with the present FIR, and recently on 27.03.2026, she has given birth to a baby girl through caesarean in DDU Hospital while she was confined in custody. He submits that the applicant, being a new mother and having delivered a baby for the first time, requires constant medical supervision, care, rest and emotional support which cannot be provided to her in jail. He lastly submits that the applicant's mother has even taken a house on rent from her brother at an address away from the complainant's residence to ensure that they are not in physical vicinity of each other, and as such, since the applicant is a law-abiding citizen with deep roots in society as also clean antecedents, she ought to be released on interim bail on humanitarian grounds.

3. Learned APP for State submits that, in compliance with the last order, the Medical Status Report dated 24.04.2026 has since been filed, relevant paragraphs whereof are as under:-

"... ..The inmate/patient was sent to Obs and Gynaecology Department, Deen Dayal Upadhyay Hospital on 09.04.2026 for stitch removal and review. Her stitch was removed and treatment was advised accordingly. The Doctor advised for admission but, patient refused for admission and returned back to jail. The patient was examined by Jail visiting Gynaecologist from Deen Dayal Upadhyay Hospital on 10/04/2026. The Doctor examined her and the patient stitch line was healthy. The Doctor advised to continue same treatment for one week.

At present, her vitals are stable. Baby and Mother are well and are under follow up and treatment of Jail visiting Specialists, Doctors posted in CJ-06 Dispensary and concerned Departments of Deen Dayal Upadhyay Hospital.



All prescribed medicines are provided to her CJ-06 Dispensary.”

4. In any event, learned APP submits that he has no objection if the applicant is released on interim bail for some time.

5. *De hors* the Medical Report dated 24.04.2026, considering that the applicant is a young woman who has just given birth to a baby girl less than *one month* ago while under incarceration, that too for the very first time and taking into account the conditions inside Jail qua such a mother and a new born girl, as also considering the safeguards taken by the applicant's mother to reside away from the complainant, it is felt appropriate to grant the applicant interim bail so that she and her child can get the required medical, physical, mental and emotional support from their family as also the child can get acclimatised to the familial environment which cannot be provided in jail.

6. Accordingly, the applicant is granted interim bail for a period of *four weeks* from the date of her release in proceedings arising out of FIR No.901/2025 dated 21.11.2025 registered at PS: Wazirabad under *Sections 103(1)/238(a)* BNS, subject to the following conditions:-

- (i) The applicant shall furnish a personal bond in the sum of Rs.25,000/- with one surety in the like amount, to the satisfaction of the concerned Jail Superintendent.
- (ii) The applicant shall not leave Delhi NCR without prior permission of the learned Trial Court and shall ordinarily reside at the address as per prison records and if she wishes to change her residential address, she shall immediately intimate about the same to the concerned IO by way of an affidavit.



- (iii) The applicant shall also surrender her Passport, if any, to the concerned Jail Superintendent.
- (iii) The applicant shall not contact/ visit/ offer any inducement/ threaten/ promise/ attempt to influence any of the prosecution witnesses or other persons acquainted with the facts of case. The applicant shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.
- (iv) Since the husband of the applicant is the main prosecution witness, she shall not be allowed to meet her husband.
- (v) Upon expiry of the period of *four weeks* of interim bail from the date of her release, the applicant shall surrender before the concerned Jail Superintendent on or before 04:00 PM on the said date of expiry of the interim bail.
7. A copy of the order be sent to the concerned Jail Superintendent for information and compliance *forthwith*.
8. As such, the present application is disposed of in the above terms.

SAURABH BANERJEE, J.

APRIL 28, 2026/rr