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

+ **BAIL APPLN. 4900/2025**

SHAMSHER @ RAJEEV

.....Petitioner

Through: Counsel (appearance not given).

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State
Mr. Robin Rajiv, Adv. for the
complainant.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

16.01.2026

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1. By way of the present application, the applicant seeks interim bail for a period of 60 days on medical grounds in FIR bearing no. 228/2022, dated 28.05.2022, registered at Police Station Tigri, Delhi for the commission of offences punishable under Sections 354/376/120B/506 of the Indian Penal Code, 1860 (hereafter '*IPC*') and Sections 6/8 of the Protection of Children from Sexual Offences Act, 2012 (hereafter '*POCSO*').
2. The medical status report of the applicant has been received from the concerned Jail Superintendent, wherein it has been mentioned as under:

“At present, inmate patient is being treated for recurrent abdominal pain with blood in vomitus on and off (Upper GI Endoscopy is scheduled for 09.07.2026) acute low back ache with lower limb radiculopathy (showing difficulty in performing routine daily activities), blood in stool (external fissure) (Already advised for surgical intervention, PAC fitness awaited), diminution of vision. Diabetes Mellitus II (being



diabetic patient and his blood sugar is also on higher side which is affecting his eye sight with Poor Glycaemic Control), seizure disorder (fresh recent seizure episode despite being on treatment) and Shortness of breath. Currently inmate patient is admitted in MI room of CJ-OI Dispensary for close observation and vitals monitoring even after this patient is still reporting no desired response with ongoing treatment.”

3. The learned APP for the State, on instructions from the concerned Investigating Officer, submits that all the material witnesses, including the victim and her family members have been examined before the learned Trial Court.

4. Considering the overall facts and circumstances of the case, and in view of the petitioner’s serious medical condition necessitating urgent medical treatment, this Court is inclined to grant interim bail to the applicant herein for a period of one month from the date of his release and, on his furnishing personal bond in the sum of Rs. 15,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court.
- ii) The applicant shall share his mobile number with the IO/SHO concerned on which he can be contacted, if required and the same shall be kept switched on at all times.
- iii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned. The applicant shall appear regularly before the learned Trial Court, unless exempted.



- iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
- v). The applicant shall also surrender before the learned Trial Court immediately on the expiry of the interim bail period.
5. Accordingly, the present bail application stands allowed and is disposed of.
6. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 16, 2026/A/GJ