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

+ **BAIL APPLN. 5071/2025**

GAURAV SINGH CHAUHAN

.....Applicant

Through: Mr. N. Hariharan, Sr. Adv. with Mr. Siddharth S. Yadav, Mr. Rahul Sambher, Mr. Kashish Ahuja, Mr. Ayush Kr. Singh, Ms. Rekha Punya, Mr. Arjan Singh, Ms. Sana Singh, Ms. Vasundhra N., Mr. Aman Akhtar and Ms. Vasundhra Tyagi, Advs.

versus

NARCOTICS CONTROL BUREAU

.....Respondent

Through: Mr. Arun Khatri, SSC with Ms. Shelly Dixit and Ms. Tracy Sebastian, Advocates

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

25.02.2026

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1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of interim bail for a period of *twelve (12) weeks* in Crime No. VIII/01/DZU/2024 dated 17.01.2024, registered at PS.: Narcotics Control Bureau (**NCB**) under *Sections 8/9A/22/23/25A/27A/28/29/30* of the Narcotic Drugs and Psychotropic Substances Act, 1985 (**NDPS Act**), on medical grounds.

2. Learned senior counsel for the applicant submits that the applicant herein is suffering from multiple serious ailments including Type-II



Diabetes Mellitus, Hypothyroidism, Per Rectum Bleeding (a case of internal Hemorrhoids) with painful defecation and severe pain in right knee. Further, the applicant is under treatment from the jail duty doctors, Orthopaedics and Surgery department at D.D.U Hospital and Neurology department at G.B Pant Hospital. The applicant is also presently admitted in the Central Jail Hospital as he has deranged blood sugar and thyroid levels, severe pain in right knee, difficulty in ambulation and bleeding Per Rectum.

3. In support thereof, and relying upon the Medical Status Report dated 16.02.2026 issued by the Senior Medical Officer, Central Jail No.03 Tihar, New Delhi, learned senior counsel submits that the medical condition of the applicant is precarious, as he is experiencing severe pain in his right knee, for which he requires treatment at a private hospital, and while undergoing surgery at the hospital, there will be no possibility of him misusing his liberty.

4. Medical Status Report as well as Nominal Roll have been received from the concerned Jail Authorities.

5. Relying thereupon, learned SSC for NCB submits that the applicant's medical condition is neither life-threatening nor beyond the capacity of the jail medical infrastructure. The applicant is under regular medical supervision and is being provided timely and appropriate treatment at government hospitals as and when required hence, the interim bail as sought ought not to be granted.

6. Cumulatively taking the overall facts and circumstances involved, particularly, the medical condition of the applicant which has been also been detailed by the Senior Medical Officer, Central Jail No.03 Tihar,



New Delhi in the Medical Status Report dated 16.02.2026, as also since the applicant has been in judicial custody for more than two year, and his conduct has been '*Satisfactory*', on humanitarian grounds, this Court is of the considered view that the applicant is entitled to be released on *interim bail* for the purpose of undergoing a knee surgery.

7. Accordingly, the applicant be released on *interim bail* in Crime No. VIII/01/DZU/2024 dated 17.01.2024, registered at PS.: Narcotics Control Bureau under *Sections 8/9A/22/23/25A/27A/28/29/30 NDPS Act*, for a period of *four weeks* from the date of his release, subject to him furnishing a personal bond in the sum of Rs.25,000/- along with one surety of the like amount by a family member/ friend having no criminal case pending against him and further subject to the satisfaction of the concerned Jail Superintendent as also the following conditions:-

- a) Applicant shall not leave the NCT of Delhi without prior permission of the concerned Court and shall ordinarily reside at the address as per TCR.
- b) Applicant shall surrender his Passport, if any, to the IO within *three days* of his release. If he does not possess the same, he shall file an affidavit before the I.O. to that effect.
- c) Applicant shall provide all his mobile numbers to the IO concerned which shall be kept in working condition at all times.
- d) Applicant shall not indulge in any criminal activity and shall not contact any of the prosecution witnesses, or tamper with the evidence of the case.
- e) Upon expiry of the *four weeks* period of interim bail, the applicant shall surrender before the concerned Jail Superintendent



on or before 12:00 Noon on the date of expiry of *four weeks* from the date of release.

8. A copy of the order be sent to the concerned Jail Superintendent for information and compliance *forthwith*.
9. Accordingly, the present application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

FEBRUARY 25, 2026/So