

NCB Vs. KARAMVEER NAGAR @ ROHIT
Case No. VII/01/DZU/2025
PS: NCB, RK Puram

30.05.2026

Present: Sh. Manish Gupta, Ld. SPP for NCB.
Sh. Abhimanyu Singh, Ms. Divyani Patidar, Dr.
Farrukh Khan, Mr. Aditya Tyagi, Mr. Aryan Dev
Pandey and Ms. Rashi Khandelwal, Ld. counsels for
applicant/accused.

Vide my separate order of even date, the present
application, seeking grant of interim bail stands allowed.

The application stands disposed of accordingly.
Copy of this order be given *dasti*. Copy of this order be sent to
Jail Superintendent, Tihar Jail for necessary intimation to the
applicant/accused.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
30.05.2026/p

**IN THE COURT OF JITENDRA PRATAP SINGH
ADDL. SESSIONS JUDGE /SPECIAL JUDGE (NDPS),
NEW DELHI DISTRICT, PATIALA HOUSE COURTS,
NEW DELHI**

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ORDER

1. Vide this order, I shall dispose of an application moved on behalf of the accused/applicant Karamveer Nagar @ Rohit under Section 483 BNSS seeking grant of interim bail on medical grounds.

2. It is submitted by Ld counsel for applicant/accused that there is no other application seeking similar relief is pending before the Hon'ble Supreme Court of India, Hon'ble High Court of Delhi or any other court.

3. The applicant is facing trial in the present case registered by NCB for offences punishable under the NDPS Act. He was arrested on 01.10.2025 and has remained in custody since then. Cognizance has already been taken and the matter is presently fixed for consideration on charge. The present application has been moved on the ground that the applicant is suffering from multiple serious medical ailments and requires specialized treatment which, according to him, cannot be effectively undertaken while he remains incarcerated.

4. Learned counsel for the applicant has submitted that the applicant has remained in custody for more than seven months and during this period his health condition has progressively deteriorated. It is submitted that no recovery has been effected from his personal possession and that his regular bail application is already pending consideration. However, the present application is confined only to the medical condition of the applicant.

5. It has been argued on behalf of the applicant that pursuant to the directions of this Court, a medical status report was called from the Jail Superintendent. Reliance has been placed upon the said report to contend that the applicant is presently suffering from Nasal Obstruction due to Deviated Nasal Septum (DNS), Obstructive Sleep Apnea, Reactive Airway Disease, Hemorrhoids with recurrent bleeding, urinary symptoms under evaluation, persistent pain in the right ankle coupled with low back ache and disturbed sleep requiring psychiatric treatment. It is further submitted that the medical report itself records deterioration of symptoms despite continued treatment.

6. It is argued that the applicant has been advised direct nasal endoscopy, polysomnography, evaluation regarding BI-PAP ventilation, urine culture, X-Ray KUB and USG-KUB besides continued specialist consultations. Learned counsel submits that the cumulative effect of the ailments has resulted in a serious decline in the applicant's health and that he requires comprehensive medical evaluation and treatment at hospitals of his choice under the supervision of his family members. It is

further argued that the applicant has filed the instant application merely to obtain proper medical treatment and is willing to abide by any condition imposed by the Court.

7. Per contra, learned Special Public Prosecutor for NCB has opposed the application. It is submitted that the applicant is involved in offences under the NDPS Act involving commercial quantity and that the allegations against him are grave in nature. It is argued that the applicant is receiving proper medical care while in custody and is being referred to outside hospitals whenever required. According to the prosecution, the medical report does not indicate any life-threatening condition nor does it suggest that treatment is unavailable through the jail administration and referral hospitals. It is therefore prayed that the application be dismissed.

8. I have heard the rival submissions and have perused the material placed on record.

9. In order to decide the application and to form an opinion about the need of specialized treatment from outside the Jail, the medical status report furnished by the Chief Medical Officer, Central Jail No. 04, assumes considerable significance. The report reflects that the applicant is suffering from a number of medical conditions affecting multiple systems of the body. The report records that he is a follow-up case of nasal obstruction due to DNS, obstructive sleep apnea, hemorrhoids with recurrent bleeding, urinary symptoms, reactive airway disease, pain in the right ankle with low back ache and disturbed sleep. The report

further records that the applicant has repeatedly reported to the jail dispensary and has been referred to DDU Hospital and other specialist departments from time to time.

10. Significantly, the report records that despite treatment and medical support, the applicant is "reporting deterioration of symptoms." The report further shows that several investigations and specialist evaluations have either been advised or are under process. The applicant has been advised direct nasal endoscopy for assessment of nasal obstruction, polysomnography to determine the requirement of BI-PAP ventilation for sleep apnea and various diagnostic investigations in relation to urinary complaints. The report also records persistent symptoms regarding pain in the ankle and low back despite medication.

11. The Court is conscious of the fact that the allegations against the applicant are serious and relate to offences under the NDPS Act. The rigor of Section 37 of the NDPS Act cannot be ignored. At the same time, it is equally well settled that the right to life and health guaranteed under Article 21 of the Constitution does not exclude an undertrial prisoner. Adequate medical treatment is not a matter of concession but a constitutional entitlement.

12. The present application is not required to be examined on the merits of the prosecution case. The limited question is whether the medical condition of the applicant warrants temporary release so as to enable him to obtain comprehensive medical evaluation and treatment.

13. In the considered opinion of this Court, the cumulative medical condition reflected in the report cannot be treated as routine or insignificant. The applicant is simultaneously dealing with respiratory issues, sleep-related complications, recurrent bleeding complaints, urinary symptoms requiring further investigation, orthopedic complaints and psychiatric issues. The medical report itself acknowledges continuing deterioration of symptoms notwithstanding treatment.

14. Although treatment is being provided through jail authorities and referral hospitals, the record also indicates that further specialized investigations and assessments are required. The multiplicity of ailments, the continuing complaints of the applicant and the need for comprehensive specialist evaluation persuade this Court to take a humanitarian view of the matter.

15. Having regard to the totality of the facts and circumstances and the record available with the Court, this Court is of the view that the applicant deserves to be released on interim bail for a limited period.

16. Accordingly, the application is allowed. The applicant/accused Karamveer Nagar @ Rohit is admitted to interim bail for a period of thirty (30) days from the date of his actual release, subject to the following conditions:

- i. The applicant shall furnish a personal bond in the sum of Rs.1,00,000/- with two sureties of the like amount to the satisfaction of the Court/ learned Duty Judge concerned.
- ii. The applicant shall provide his mobile number to the Investigating Officer and shall keep the same operational at all times. He shall not change the mobile number without prior intimation to the Investigating Officer.
- iii. The applicant shall surrender his passport, if not already deposited.
- iv. The applicant shall not leave the National Capital Territory of Delhi of District Ghaziabad without prior permission of this Court.
- vi. The applicant shall not directly or indirectly contact, influence, threaten or induce any prosecution witness.
- vii. The applicant shall not indulge in any activity similar to the allegations involved in the present case.
- viii. During the period of interim bail, the applicant shall obtain medical consultation and treatment from the concerned specialists and shall preserve all prescriptions, investigation reports and discharge summaries.
- ix. The applicant shall file on record, at the time of surrender, a complete set of medical documents generated during the period of interim bail.
- x. Upon expiry of the period of interim bail, the applicant shall positively surrender before the Jail Superintendent concerned on or before the due date without waiting for any further order of the Court.

17. Needless to state, nothing contained herein shall tantamount to an expression on the merits of the case.

18. The application under Section 483 BNSS, 2023 moved on behalf of applicant/accused for grant of interim bail is accordingly disposed of as allowed.

19. Copy of this order be given dasti to both sides and also be sent to Jail Superintendent concerned for information and compliance.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
30.05.2026/p