

**IA No. 7/2023**  
**SC No. 294/2022**  
**State Vs. Saif Ali @ Sibbu & Anr.**  
**FIR No. 443/2022**  
**PS: Bhajanpura**

**16.12.2023**

Present: Sh. Vikas Sharma, Ld. Counsel for the applicant  
/accused Saif Ali @ Sibbu alongwith parents of the  
applicant/accused.  
Sh. Masood Ahmad, Ld. Addl. PP for the State.  
IO/Insp. Rajnikant.

The matter is fixed for hearing arguments on the application for grant of interim bail filed by the applicant /accused Saif Ali @ Sibbu.

Today, on calling the case, Ld. Counsel for the applicant/accused has appeared alongwith the parents of the applicant/accused.

This court had also sought report from the Superintendent of Central Jail, Tihar, Delhi.

This court has received report from the Sr. Medical Officer, Central Jail No. 13, Mandoli, Delhi. The parents and the Ld. Counsel for the applicant/accused are also apprised about the same, wherein, it is mentioned that this accused has been diagnosed as sebaceous cyst in gluteal region and he has been advised with Excision (surgery) under local anesthesia and may require admission on the day of surgery for which treating doctor has advised relative to be present on the day of surgery. It is also

mentioned in the said report that in this regard, a letter has been sent to Superintendent on 11.11.2023 for permitting relative at GTB hospital on the day of surgery, but, no permission has been received till date and without permission of relative, treating doctor will not give appointment date for surgery. It is also stated that this inmate was last presented in Jail OPD on 08.11.2023, where he was provided with medication and he was not reported since then. It is also mentioned in the report that inmate has sebaceous cyst in gluteal region, which is a most common occurring swelling and a non infective one and it requires elective surgery (excision) and will not cause deterioration of health and currently, inmate is stable and his vitals are BP: 130/80 mm Hg, PR: 92/min, Temp: 98 F and he will be sent for further surgical review at GTB hospital on 19.12.2023 and on getting information about the same, both the parents of this applicant/accused have given join statement, which is as under:-

*“Joint statement of Saleem, father of accused Saif Ali @ Sibbu and Smt. Beena Parveen, mother of the accused Saif Ali @ Sibbu, both resident of Loni, village Pavi, Sadaqpur, Loni, PS Tronika City, Ghaziabad, U.P. Mobile No. 9818513411.*

*On SA*

*We are the father and mother of applicant/accused Saif Ali @ Sibbu. Accused Saif Ali @ Sibbu has moved an application for interim bail and this court has sought report from the Superintendent of Central Jail and report from the Sr. Medical Officer, Central Jail No. 13, has been received. Since, the surgery of our son Saif Ali @ Sibbu is required to be done, for which, consent and presence of any relative of this accused is required, so, we are giving this statement in this court that we are ready to give consent for the surgery of this accused Saif Ali @ Sibbu in the hospital and we will also remain present at the time of surgery of our son in the hospital and the*

*Superintendent of Central Jail no. 13 may be directed to contact us for giving our consent for the surgery of our son Saif Ali @ Sibbu and we also undertake to remain present at the time of his surgery.*

*RO&AC*

*-sd-*

*-RTI-*

*-sd-*

*(PAWAN KUMAR MATTO)*

*Addl. Sessions Judge (Special Judge NDPS)*

*North East/KKD Courts/Delhi/16.12.2023”*

Thereafter, Ld. Counsel for the applicant/accused has sought permission to withdraw this application for grant of interim bail and gave statement to this effect.

Separate statement of the Ld. Counsel for the applicant/accused has been recorded, which is as under:-

*“Statement of Sh. Vikas Sharma, Chamber No. G-701, Karkardooma Courts, Delhi, mobile no. 7503743644.*

*At Bar*

*I am the counsel for the applicant/accused Saif Ali @ Sibbu, who has filed an application for grant of interim bail.*

*This court has received report from the Sr. Medical Officer, Central Jail No. 13, has been received. Since, the surgery of Saif Ali @ Sibbu is required to be done, for which, consent and presence of any relative of this accused is required and today, the parents of this accused have appeared and given joint statement that they are ready to give consent for the surgery of their son Saif Ali @ Sibbu in the hospital and they will also remain present at the time of surgery of their son in the hospital and prayed for directing the Superintendent of Central Jail no. 13 for contacting them for giving their consent for the surgery of their son Saif Ali @ Sibbu on the mobile phone number given in the statement of the father of this accused, so, I may be allowed to withdraw this application for grant of interim bail, so that the treatment of this accused in the judicial custody may be done properly.*

*RO&AC*

*-sd-*

*-sd-*

*(PAWAN KUMAR MATTO)*

*Addl. Sessions Judge (Special Judge NDPS)*

*North East/KKD Courts/Delhi/16.12.2023”*

In view of the join statement of the parents of the applicant/accused Saif Ali @ Sibbu recorded today in this court, the Superintendent of Central Jail No. 13, Mandoli, Delhi is directed to contact with the parents of this applicant/accused on the mobile phone number, as, mentioned in their join statement of parents of this accused or on the mobile phone number of counsel of this accused, as, mentioned in this statement, so that parents may give their consent for the surgery of Saif Ali @ Sibbu and they may remain present in the concerned hospital at the time of the surgery of this applicant/accused. In view of the statement of the Ld. Counsel for the applicant/accused recorded today in this court, the application for grant of interim bail, filed by the applicant/accused Saif Ali @ Sibbu is dismissed as withdrawn. Dasti copies of this order be provided to the parties. **Attested copy of this order be also sent to the Superintendent of Central Jail No. 13, Mandoli, Delhi, for supplying the same to the applicant/accused Saif Ali @ Sibbu and also for compliance. The Superintendent of Central Jail No. 13, Mandoli, Delhi is also directed to sent the further report regarding the health of this accused and his surgery scheduled on dated 21.12.2023.**

(PAWAN KUMAR MATTO)  
Addl. Sessions Judge (Special Judge NDPS)  
North East/KKD Courts/Delhi/16.12.2023