

CNR No. DLSE01-005813-2025
SC No. 311/2025
FIR No. 191/2023
PS SHAHEEN BAGH
U/S. 419/420/468/471 IPC & SECTION 304 IPC
STATE Vs. TABASSUM

20.07.2026

Present: Mr. Lallan Kumar Singh, Ld. Addl. PP (Sub.) for the State.

Accused Tabassum on bail.

Mr. Rakesh Raushan alongwith Mr. Ashok and Ms. Nahid, Ld. Counsels for the accused.

Complainant Dr. Mohd. Yusuf (father of deceased Andleeb Iram) is present.

Arguments heard on charge from both sides.

Charge-sheet and supplementary charge-sheet perused.

1. As per record, deceased Andleeb Iram, aged 22 years, was pregnant since May-2021 and had been visiting Medicare Hospital, Abdul Fazal Enclave, Thokar No.4, Jamia Nagar, Okhla, New Delhi, and she was under medical supervision of accused Dr. Tabassum. On 24/03/2022, Andleeb Iram suffered labor pain and she was admitted at aforesaid Medicare Hospital for delivery of child. The child delivery procedure was conducted by accused Dr. Tabassum at the hospital and Andleeb Iram delivered a male child at 06:00PM on 24/03/2022, as a normal delivery.

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CNR No. *DLSE01-005813-2025* **--2--**
SC No. *311/2025*
FIR No. *191/2023*
PS *SHAHEEN BAGH*
U/S. *419/420/468/471 IPC & SECTION 304 IPC*
STATE Vs. *TABASSUM*

2. On the same day i.e. 24/03/2022, Andleeb Iram suffered excessive bleeding from 06:00PM to 08:20PM and she was discharged from Medicare Hospital at 08:20PM on request of the complainant, to be rushed to Holy Family Hospital, Okhla Road, New Delhi. On the same day i.e. 24/03/2022, Andleeb Iram expired at Holy Family Hospital at 10:33PM. In the medical certificate of cause of death, issued by Holy Family Hospital, the cause of death is mentioned as – ‘post partum hemorrhage with shock’. The postmortem examination was not got conducted as it was not a suspected case of death by medical negligence or homicide. The death was not reported to police.

3. Complainant filed complaint to SHO PS Shaheen Bagh for the first time on 19/04/2022, alleging that accused Dr. Tabassum caused the death of his daughter Andleeb Iram by negligence. He alleged that accused Dr. Tabassum wrongfully conducted the gynaecological and obstetrician procedure on Andleeb Iram without holding required medical degree in allopathy. In fact, she wrongfully impersonated as an MBBS doctor in the name of Dr. F. Tabassum, MBBS, DGO (Obs & Gynae), DMC No.69048, the fake stamp of which she also affixed on medical OPD cards issued to Andleeb Iram.

4. During investigation, it was discovered that accused Dr. Tabassum holds BUMS degree from Jamia Humdard

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CNR No. DLSE01-005813-2025 --3--
SC No. 311/2025
FIR No. 191/2023
PS SHAHEEN BAGH
U/S. 419/420/468/471 IPC & SECTION 304 IPC
STATE Vs. TABASSUM

University and she is registered as a doctor with Delhi Bharatiya Chikitsa Parishad, having Registration No. DBCP/U/5949 with Certificate serial No. 014371 valid upto 09/05/2023. IO received the report from Delhi Bharatiya Chikitsa Parishad that as per Rule 10(2) of Delhi Bharatiya Chikitsa Parishad Rules, 2000, a practitioner whose name is entered in the register under the Act is entitled to practice, including the right of practice of integrated medicine. As per Section 2(h) of Delhi Bharatiya Chikitsa Parishad Act, 1998, integrated medicine is defined as conjoint, concurrent study, training & practice in Ayurveda/Siddha/Unani Tibb and modern scientific system of medicine in all its branches including surgery and obstetrics.

5. The report received from Delhi Bharatiya Chikitsa Parishad implied that accused Dr. Tabassum was eligible to conduct child birth procedure (obstetrics procedure) on Andleeb Iram on 24/03/2022. In the investigation, IO could not obtain a definitive medical opinion attributing death of Andleeb Iram solely to negligence of accused Dr. Tabassum. In the charge-sheet, no causal relationship has been established between death of Andleeb Iram and child birth procedure conducted on her by accused Dr. Tabassum. Therefore, the Court accepts that offence U/s. 304A IPC or Section 304 IPC is not attracted against accused Dr. Tabassum and she is discharged for the said offence.

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CNR No. DLSE01-005813-2025 --4--
SC No. 311/2025
FIR No. 191/2023
PS SHAHEEN BAGH
U/S. 419/420/468/471 IPC & SECTION 304 IPC
STATE Vs. TABASSUM

6. However, there is sufficient *prima facie* material on record that whilst practicing as a doctor, accused Dr. Tabassum falsely represented herself to be an allopathic doctor and she affixed forged stamp as an MBBS doctor (Obs & Gynae) having DMC No. 69048 on medical OPD Cards of Andleeb Iram and thereby the offences U/s. 419/420/468/471 IPC are rightly invoked in the charge-sheet.

7. It is observed that offences U/s. 419/420/468/471 IPC are triable by Magistrate. The case file needs to be transferred to Court of Ld. JMFC for arguments on charge in respect of offences U/s. 419/420/468/471 IPC. It is impressed that Ld. JMFC shall not be influenced by any of the observation of this Court in respect of offences U/s. 419/420/468/471 IPC, that have been made only to decide the propriety of invocation of said offences in the charge-sheet.

8. Case file be put up before Ld. Principal District & Sessions Judge, South-East District, Saket Courts, on **27/07/2026 at 02:00PM**, for transfer of case to the Court of Ld. JMFC.

Parties to appear accordingly.

(VISHAL SINGH)
ASJ-05, South-East District
Saket Courts, New Delhi:20.07.2026