

**IN THE COURT OF MS. SHEETAL CHAUDHARY PRADHAN
ADDL. SESSIONS JUDGE-02 : SOUTH EAST DISTRICT
SAKET COURT : NEW DELHI**

Bail No.1543/2026 & 1544/2026
ECIR/STF/33/2025
ECIR 3/2026
Ct No.02/2026 & 14/2026
U/s 3 & 4 PMLA Act
ED Vs. Jawad Ahmad Siddiqui

09.06.2026

ORDER ON INTERIM BAIL APPLICATION

1. Vide this common order, I shall dispose off applications moved under Section 45 of the PMLA, 2002 read with Section 439 CrPC/483 BNSS on behalf of applicant/accused Jawad Ahmad Siddiqui for grant of interim bail on the ground of ailment of his wife.

BRIEF FACTS:

2. Brief facts which can be taken out from the reply filed by the ED are as under that the present PMLA cases arises out of and in connection with scheduled offences mentioned in FIR 337/2025, FIR 338/2025 & FIR 0021/2026 registered by Crime Branch, Delhi Police. Investigation by ED led to identification of a detailed modus operandi used by Accused/Applicant, in commission of crime and which has generated Proceeds of Crime.

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SUBMISSIONS MADE ON BEHALF OF ACCUSED/APPLICANT

3. The application seeking interim bail is filed pursuant to the express liberty granted by the Hon'ble High Court of Delhi vide order dated 01.04.2026 in CRL.M.C. 1821/2026, and reiterated vide order dated 29.05.2026 in Crl. M. (Bail) 1007/2026 in Bail Appl. 1922/2026, whereby the Applicant was granted liberty to file a fresh interim bail application before this Hon'ble Court, to be decided de novo on its own merits, uninfluenced by the assertions, grounds or arguments addressed by either party before the Hon'ble High Court.

4. The present application is confined solely to the ground of the grave ill-health of the Applicant's wife, Mrs. Usma Akhtar, and the merits of the case have not been, and need not be, touched upon at this stage. **The Applicant seeks interim bail for a limited and specified period of six weeks to enable him to attend to and care for his wife during the critical and ongoing phase of her treatment.**

5. It is settled law that while the twin conditions under Section 45 PMLA are stringent, they do not operate as a jurisdictional bar to the grant of interim bail on genuine and compelling medical and humanitarian grounds, and this Hon'ble Court is empowered to exercise its discretion in such exceptional and extraordinary circumstances.

6. That the Applicant has been in continuous judicial custody since 18.11.2025. i.e., for over six months, and his regular bail application is pending before the Hon'ble High Court of Delhi, listed on 08.07.2026. That this Hon'ble Court, vide order dated 07.03.2026 had earlier granted interim bail to the Applicant. The said order was challenged by the Non-Applicant, and the Hon'ble High Court of Delhi, vide order dated 01.04.2026, granted liberty to the Applicant to file a fresh interim bail application to be decided de novo by this Hon'ble Court.

7. That Mrs. Usma Akhtar, aged 52 years, wife of the Applicant, stands diagnosed with Carcinoma Ovary (Metastatic) - Stage IV - HRD Positive, MSI Stable, as confirmed by the Discharge Summaries dated 18.04.2026 and 08.05.2026 issued by the Department of Medical Oncology. Indraprastha Apollo Hospitals, New Delhi under the care of Dr. P. K. Das, MD, DM (Medical Oncology). Copies of the said Discharge Summaries are relied upon by the applicant.

8. That Mrs. Usma Akhtar is scheduled to undergo chemoport insertion surgery under local anaesthesia at Yashoda Medicity on 03.06.2026, the pre-operative investigations (CBC, KFT, LFT, PT/INR/APTT, HIV, HBsAg and HCV) having already been advised. The insertion of a chemoport is clinically indicated only where prolonged and high-frequency intravenous chemotherapy is contemplated, and is itself demonstrative of the fact that the patient is

being prepared for an intensified and continuing course of treatment, and not for any oral maintenance therapy.

9. That the treatment of the patient is, as a matter of record, escalating and not abating. Vide prescription dated 29.05.2026, the treating oncologist, Dr. Manish K. Singhal, has advised chemoport insertion, the addition of Inj. Versavo to the existing Gemcitabine regimen on a fortnightly basis, a Bone Mineral Density (BMD) scan at three sites, and PDL-1 biomarker testing to assess eligibility for immunotherapy. The patient is thus entering a prolonged and intensive phase of treatment requiring continuous medical supervision and care

10. That the most recent whole-body PET-CT dated 26.05.2026 records the disease as stable (RECIST 1.1), with bilateral liver lesions persisting, a peritoneal nodule flagged for follow-up and diffuse osteopenia confirmed. It is respectfully submitted that stable disease is not remission, such stability is wholly contingent upon uninterrupted fortnightly chemotherapy and adequate caregiver support. The patient has already failed two prior lines of chemotherapy, and there exists no established fourth line of treatment with proven efficacy. Any disruption of the present regimen at this stage is therefore not a mere setback, but carries a real and potentially irreversible risk to the life of the patient.

11. That the Applicant is the husband of Mrs. Usma Akhtar and, in practical terms, her primary caregiver and the anchor of her emotional and psychological support. In the absence of the Applicant, the patient has been constrained to be accompanied to hospital by the daughter of her househelp.

12. The absence of any alternative caregiver is a matter of record. The Applicant's parents are deceased, his wife's father has expired, and her mother is elderly, aged over 75 years, and comorbid. The Applicant's three children have been residing in the UAE since 2017 and 2019, well before the onset of the wife's illness. The eldest son must remain in the UAE to look after his younger siblings, and there are no other adult family members residing with the Applicant's wife.

13. That the grant of interim bail on medical and humanitarian grounds will not, in any manner, prejudice the integrity of the investigation or the trial, for the reasons that: a) No flight risk: the Applicant is 61 years of age with deep roots in India and his gravely ill wife requiring his presence at Delhi: b) Passport surrender and reporting: the Applicant undertakes to surrender his passport, to report to the investigating agency/Court as frequently as may be directed, and to abide by every condition that this Hon'ble Court may impose; and c) Limited and specified period: the Applicant seeks interim bail only for a limited and specified period to enable him to care for Mrs. Akhtar during the critical, ongoing phase of her

treatment, and is prepared to surrender to custody as and when directed.

SUBMISSIONS MADE ON BEHALF OF ED

14. That Directorate of Enforcement vehemently opposed the application seeking grant of interim bail filed by the Accused-Applicant Jawad Ahmad Siddiqui. It has been argued that the application is wholly misconceived, devoid of merit and liable to be dismissed.

15. It has been argued that the grounds urged by the Petitioner are substantially similar to those raised in the main bail application and no separate urgent or supervening circumstance has been shown warranting grant of interim bail pending disposal of the main bail application. That the Petitioner has failed to make out any exceptional, urgent or legally sustainable ground for grant of interim bail. Grant of such relief would adversely affect the ongoing proceedings and may prejudice the prosecution case.

16. It has been argued that the applicant is in custody in multiple other cases. It has further been argued that the accused/applicant is seeking interim bail on the ground of illness of his wife which has neither been contracted by her pursuant to the arrest of the Applicant nor has the same been neglected/ not attended by doctors due to the arrest/ incarceration of the Applicant.

17. It is submitted that the medical condition of the wife is historical in nature existing since 2022 with a surgery done in 2024 and as per the discharge summary and medical papers she is responding/tolerating well to chemotherapy and is in a stable condition with no emergency or immediate requirement of hospitalization and currently being treated by medication only on OPD basis.

18. The present medical condition of the wife of the respondent is not as serious as is being portrayed. This is evident from the fact that none of the adult children of the respondent have travelled back to India even after his arrest on 18.11.2025, and that too at a time when no war-like situation existed. Mr. Afham Ahmad Siddiqui last travelled outside India on 01.04.2025 and Ms. Afiya last travelled outside India on 03.08.2025, and neither has returned since. Furthermore, the wife of the respondent herself has been travelling to and from India, as recently as 15.02.2026.

19. It has further been argued that there are several adult family members both male and female who are available to provide support the wife of the applicant Mrs. Usma Akhtar in fact there are also three educated and capable children who are in a position to provide care/be of aid to their mother. Further the Applicant has not disclosed that who is the caregiver for Mrs. Usma Akhtar since 18.11.2025 and has been assisting her during her hospital visits and providing her moral

support etc. Further, other adult family members like Sufyan Ahmad Siddiqui, brother of applicant and Shima Siddiqui, sister of the applicant are residing in Delhi and are available to provide assistance and support to the Applicant's wife. The address of the said 2 relatives and the distance from the residence of the wife of the respondent is very less and they can attend to any impending situation within 2--3 minutes.

20. It has been argued that the adult children of the applicant studying in UAE can return to India for care and support of the wife of the accused. This is further evident from the current situation as several travellers are each day travelling to and from India to UAE.

21. It has further been argued that the response from the Apollo Hospital was received by ED which would demonstrate that there are care-givers and attendants available to the wife of the applicant including family members who are accompanying the wife of the applicant to the hospital and therefore the applicant's ground to seek interim bail is misplaced.

22. It is further argued that the antecedents of the accused and his involvement in FIR no. 229/2025 connected with the red fort bomb blast case and is one of the accused and therefore the accused is disentitled from the relief of bail. Further, the accused/applicant is involved in several criminal offences. Hence, the applicant also fails to satisfy one of the two mandatory twin conditions u/s 45 of the

PMLA, i.e., the accused is not likely to commit such offence while on bail. In *Neeru Yadav (2014) 16 SCC 508*, failure to consider the antecedents of the accused who was granted bail was one of the reasons assigned by the Supreme Court to cancel the order granting bail.

23. It has further been argued that during the investigation, criminal antecedents of Accused/Applicant were identified from various Hon'ble Court's websites and other government forums. These revealed that multiple FIRs were registered between 1999 and 2003 for offences such as cheating, forgery, criminal breach of trust, and conspiracy against Accused/Applicant and Others. All these FIRs relate to the activities of the Al-Falah Group of Companies operating from Al-Falah House, 274-A, Jamia Nagar, Okhla, with Accused/Applicant as the central figure. The cases primarily involved alleged fraudulent deposit, investment, or loan schemes, dishonoured cheques, misrepresentation of security or ownership, and non-return of investor funds, leading to cases under cheating, criminal breach of trust, conspiracy, forgery, and offences under the Negotiable Instruments Act. Further, Accused/Applicant, was arrested by the Delhi Police in January 2000 and remained in custody for approximately four years.

24. It has further been argued that the investigation revealed that Accused/ Applicant is the major shareholder and beneficial owner in

Al-Falah Investments Limited (now known as Al-Falah Stock Traders Private limited), a company involved in stock market investment business.

25. It has been argued that the investigation revealed that Accused/ Applicant purchased approximately 1.146 acres of land in Madanpur Khadar, Delhi, in the name of the Tarbia Education Foundation from one Vinod Kumar for a consideration of Rs.75 lakh. Forged General Power of Attorney documents appear to have been used for the purchase of the land by the Tarbia Education Foundation. The land was acquired using forged signatures and thumb impressions of deceased individuals. At least 30 out of the 58 original landowners had died between 1972 and 1998. However, their signatures and thumb impressions appeared on General Power of Attorney documents executed in 2004. Multiple FIRs were filed in the past by the legal heirs of the original landowners. The latest being FIR No. 734/2025, dated 27.12.2025, registered at Police Station Kalindi Kunj. This FIR has explicitly named Accused/ Applicant as one of the accused.

26. These antecedent economic offences show a pattern of financial misconduct and support the inference that he is accustomed to mobilizing and handling investor's funds in a non-transparent manner, which is relevant to his role in the present scheduled offences and laundering activities.

27. Mere filing of the prosecution complaint cannot be a ground for bail was accepted by the Hon'ble Supreme Court, in ***Union of India v. Kanhaiya Prasad, 2025 SCC OnLine SC 306***, strongly deprecated the grant of bail on such grounds and, while setting aside the said order of the Hon'ble Patna High Court, emphasised the mandatory requirement of satisfying the twin conditions under Section 45 of the PMLA.

"20. The High Court has utterly failed to consider the mandatory requirements of Section 45 and to record its satisfaction whether any reasonable ground existed for believing that the respondent was not guilty of the alleged offence, and that he was not likely to commit any offence while on bail. Merely because the prosecution complaint had been filed and the cognizance was taken by the court that itself would not be the ground or consideration to release the respondent on bail, when the mandatory requirements as contemplated in Section 45 have not been complied with

23 Though, the learned Senior Counsel Mr. Ranjit Kumar has submitted that the respondent having already been released on bail, the same be continued in a peculiar and piquant situation, we are not inclined to accept the said submission. The impugned order passed by the High Court having been held to be unsustainable and untenable by us, the effect of the same cannot be continued. The respondent

shall surrender before the Special Court within one week from today."

28. It has been argued that there is a grave likelihood of tampering with the evidence. That, out of the total 45 witnesses in the present case, three are family members of the respondent and eighteen are employees (both current and former) working directly under him. In view of the influence that the respondent exercises over his relatives and employees, there exists a high likelihood of tampering with witnesses if the respondent is released on interim bail.

29. Without prejudice to the foregoing submissions, it is respectfully submitted that the Applicant has also failed to satisfy the settled triple test governing grant of bail under Section 439 CrPC, namely: (i) the likelihood of the accused fleeing from justice; (ii) the possibility of tampering with evidence; and (iii) the likelihood of influencing witnesses.

30. It is submitted that in present subject PMLA case, all three conditions governing triple test operate against the Applicant. At the outset, the criminal antecedents and continuing involvement of the Applicant in multiple offences weigh heavily against the grant of bail. Apart from the present ECIR/STF/33/2025 arising out of FIR Nos. 337/2025, 338/2025 and 0021/2026 relating to large-scale fraud involving false NAAC (National Assessment and Accreditation Council) accreditation, fabricated UGC (University Grant Commission) Section 12(B) recognition, and misrepresentation

before National Medical Commission (NMC) authorities, further proceedings have been initiated in ECIR/STF/03/2026 arising out of FIR No. 734/2025 (PS Kalindi Kunj), which involves serious allegations of forgery of Sale Deed registered in favour of Tarbia Education Foundation. Additionally, ECIR/STF/07/2026 has been recorded in connection with FIR No. 229/2025 (PS Dhauj, Faridabad), involving grave allegations under the Unlawful Activities (Prevention) Act, pertaining to preparation of explosive materials and planned acts intended to disturb public order. The multiplicity, nature, and gravity of these offences disclose a continuing pattern of unlawful conduct and demonstrate that the Applicant is not a first-time offender but is repeatedly involved in serious criminal activities.

31. It is submitted that the material on record clearly establishes that the Applicant exercises control over multiple entities and financial channels, including routing of funds through layered transactions and entities with foreign linkages. The existence of such financial capacity, coupled with his access to resources and cross-border financial exposure, gives rise to a reasonable apprehension that the Applicant may evade the process of law if enlarged on bail.

32. Further, the investigation revealed that witnesses have consistently stated that Accused/Applicant exercised absolute control over the University's affairs, even over the smallest decisions. Instructions for uploading details on the websites, approving the

content uploaded, and carrying out modifications and deletions were specifically given by Accused/ Applicant. It has also been learnt that directions for the deletion or removal of expired and/or false claims relating to NAAC accreditation, particularly after the issuance of the Show Cause Notice by NAAC, were given only by Accused/ Applicant. This prima facie indicates his tendency to tamper with evidence.

33. Further, as regards influencing witnesses, the Applicant has been identified as the central controlling authority over the Trust, University, and associated entities, with employees, accountants, and administrative officials functioning under his direct supervision and instructions. The key witnesses in the present case are drawn from this very institutional framework and are, therefore, inherently vulnerable to influence or inducement if the Applicant is released on bail.

34. It is submitted that on 17.02.2026, a Division Bench of the Hon'ble Supreme Court of India held in **Special Leave to Appeal (Crl.) No. 19708 of 2025 titled Rakesh Mittal v. Ajay Pal Gupta @ Sonu Chaudhary and Anr**, while setting aside the order of Hon'ble Allahabad High Court, Lucknow Bench granting bail, observed that earlier precedents which put an embargo on grant of bail owing to factors such as potential threat to a witness, disturbance of law and order, and criminal antecedents of an accused arose from heinous and

violent crimes, the underlying principles enshrined therein equally apply to the cases involving offences of financial fraud. The relevant part of the judgment has been reproduced below: *"19. Though the observations made in some of the above cases were in the context of heinous offences, which is not the case presently, we may note that the value of life and liberty of members of society is not limited only to their 'person' but would also extend to the quality of their life, including their economic well-being. In offences of a pecuniary nature, where innocent people are cheated of their hard-earned monies by conmen, who make it their life's pursuit to exploit and feast upon the gullibility of others, the aforestated factors must necessarily be weighed while dealing with the alleged offenders pleas for grant of bail"*

35. It has further been argued that the accused is a serious flight risk. One of the factors to be considered for granting bail is whether a person can sustain himself abroad the fact that the accused's children are settled abroad coupled with siphoning off proceeds of crime outside India would indicate that the petitioner is a serious flight risk more so when his involvement is found in the Delhi Red Fort bomb blast case which is under investigation by the NIA, there will be a grave likelihood that the accused may try to flee abroad through illegal channels.

36. It has further argued that the total proceeds of crime in the present case amount to 2493 crores, out of which only 2178 crores, which could be traced, have been attached, while the remaining proceeds of crime are still untraceable and therefore the accused cannot satisfy the mandatory twin conditions under section 45 of PMLA as he continues to commit the offence of money laundering by inter-alia concealing and being in possession of hundreds of crores of proceeds of crime.

37. It has further been argued that mandatory twin conditions under section 45 of the PMLA are applicable even while considering interim bail. The rationale of the mandatory twin conditions in PMLA was upheld in the judgement of the Hon'ble Supreme Court in the case of ***Vijay Madanlal Chaudhary v. Union of India, reported in 2022 SCC OnLine SC 929*** and the relevant reasoning is as follows:

"411. Suffice it to observe that it would be preposterous and illogical to hold that if a person applies for bail after arrest, he/she can be granted that relief only if the twin conditions are fulfilled in addition to other stipulations predicated in the 1973 Code; but another person, who is yet to be arrested in connection with the same offence of money-laundering, will not be required to fulfil such twin conditions whilst considering application for grant

of bail under Section 438 of the 1973 Code. The relief of bail, be it in the nature of regular bail or anticipatory bail, is circumscribed by the stipulations predicated in Section 45 of the 2002 Act. The underlying principles of Section 45 of the 2002 Act would set triggered in either case before the relief of bail in connection with the offence of money-laundering is taken forward. Any other view would be counterproductive and defeat the purposes and objects behind the stringent provision enacted by the Parliament for prevention of money-laundering and to combat the menace on account of such activity which directly impacts the financial systems, including the sovereignty and integrity of the country." 412. As a result, we have no hesitation in observing that in whatever form the relief is couched including the nature of proceedings, be it under Section 438 of the 1973 Code or for that matter, by invoking the jurisdiction of the Constitutional Court, the underlying principles and rigors of Section 45 of the 2002 must come into play and without exception ought to be reckoned to uphold the objectives of the 2002 Act, which is a special legislation providing for stringent regulatory

measures for combating the menace of money-laundering."

38. It is further submitted that the Hon'ble Delhi Court in the Judgement of CrI MC 3713/2022 titled ***Directorate of Enforcement v. Raj Singh Gehlot***, held that-

"It has been vehemently contended by learned counsel for the petitioner/ED that the exercise of discretion in repeated grant of interim bail on medical/other grounds is not in sync with observations in Athar Parvez vs. State (supra) and, as such, the proceedings be stayed before the learned Trial Court with respect to application seeking extension of interim bail. There is no dispute on the proposition that considering the strict provisions of Section 45 of the PMLA, there need to be compelling reasons which would justify and require the grant of interim bail, should the application be allowed after factual assessment. However, to ensure that the interim bail is granted on compelling medical reasons, it shall be appropriate, as suggested by learned counsel for the petitioner/ED that a Medical Board be constituted

for evaluating the medical condition of the respondent...."

39. That the Hon'ble Bombay High Court has held that the pari materia twin conditions envisaged in Section 37 of the NDPS Act would apply even when bail is sought on humanitarian grounds in ***State of Maharashtra v. Vinod Sabaji Loke, 1995 SCC OnLine Bom 388***, wherein it was held under:

"10. Admittedly, accused No. 2 could not avail of the order dated April 19, 1995 passed by the Special Judge. This order was interdicted on May 5, 1995 by the learned Special Judge. There is no material placed before the Special Judge or before this Court that the condition of the father of accused No. 2 has deteriorated and that he is the only male member who can attend to his father at this juncture. Even otherwise on the undisputed facts I am satisfied that the learned Special Judge has overstepped his jurisdiction in granting the concession of interim bail to the accused No. 2. As per the accused's own saying he has two brothers who are stationed at Indore (M. P.). There is no mention in the application that those two brothers

are unable to attend to the father in the situation. The accused's brothers could very well attend to their father if the father's health condition has deteriorated. As is suggested the so-called humanitarian grounds for which accused No. I was granted bail are non-existent in the instant case. In fact, the Special Judge has overstepped his jurisdiction in allowing the concession of bail on the allegations made in the application. 12. Section 37 of the N.D.P.S. Act envisages that the accused can be released on bail only on fulfilment of condition mentioned in the section. This section expressly says that the provisions regarding grant of bail contained in Code of Criminal Procedure stand superseded by the provisions contained in this section."

REBUTAL SUBMISSIONS ON BEHALF OF ACCUSED

40. It is argued that ED has not filed a single medical counter-opinion in this case and no opinion from any doctor, oncologist or

medical professional disputing the diagnosis, the treatment, the toxicity, the caregiver requirement, or the clinical severity of Mrs. Usma Akhtar's condition. It is argued that the prosecution does not lack a medical opinion, it lacks a medical opinion that supports its case.

41. It is argued that the ED has not disputed that Mrs. Akhtar suffers from Stage-IV metastatic ovarian cancer (HRD positive).

42. It has been argued that the wife of accused/applicant has exhausted three lines of chemotherapy, the last being the final curative-intent line available to her, that she now remains on indefinite maintenance chemotherapy not to cure but to contain a disease that can no longer be cured; and that she is to undergo surgery for chemoport insertion on 10.06.2026 to sustain this lifelong treatment.

43. It has been argued that the condition of wife of accused/applicant is grave in nature. Further, the summary of the discharge reports also shows that Mrs. Usma Akhtar, aged 52, is suffering from ovarian cancer which has now spread to other parts of her body. Her doctors have described her condition as "recurrent." meaning the cancer has come back and is not under control. Since it was first diagnosed in 2022, the disease has returned and spread to her liver and abdomen. She has already undergone surgery and three

different rounds of chemotherapy, but each treatment has stopped working after some time. The first treatment, including surgery, stopped being effective by February 2025 when her reports showed the cancer was growing again. The second treatment also worked only for a short time, and by December 2025 scans showed further spread, including multiple spots in the liver. She is now on her third line of treatment. Her current condition is very serious. She is receiving chemotherapy every two weeks because the disease is widespread, and is also being given additional injections for her bones. Her doctor has stated that her condition is critical, with an expected period of only about six to eight months before the disease progresses further. The earlier treatments have also weakened her body, especially lowering her platelet count, which increases the risk of bleeding and infection. Her bones have also become weak, as shown in recent scans, which means she is at risk of fractures and cannot be left alone. She is physically very fragile and needs constant care and supervision. Her treatment will continue regularly and is not a one-time process. She is scheduled for a chemoport procedure on 10.06.2026, which is required for long-term chemotherapy. After that, she has blood tests on 15.06.2026 and will be admitted again on 17.06.2026 for the next round of treatment, with further treatment planned in the coming months. It is further argued that she is critically ill, undergoing continuous treatment, and needs someone to

assist her at all times including taking her to hospital, monitoring her condition, and helping her through her treatment.

44. It has further been argued that the accused/applicant has already been granted bail in two predicate offences i.e. FIR No.337/2025 and 338/2025 PS Crime Branch Delhi.

45. It has further argued that the Applicant is the husband and, in practical terms, the primary caregiver and the anchor of the patient's emotional and psychological support. **This is not merely the Applicant's assertion, the Caregiver Certificate of Dr. Manish K. Singhal dated 29.05.2026 specifically names the husband as the required primary caregiver, In his absence, the patient has been constrained to be accompanied to hospital by the daughter of her house-help.**

46. It has further been argued that even after the procedure the accused/applicant is required, as the wife of accused shall needs constant support and shall be facing more severity in her symptoms, post the procedure. The two relatives named by the ED cannot provide such care: i. Shima Siddiqui (sister): aged approximately 60 years, with her own age-related ailments; she must care for her 25-year-old son who suffers from a severe congenital mental disorder (cognitive capacity of a 5-year-old) and must additionally attend to her 87-year-old mother-in-law. ii. Sufyan Ahmad Siddiqui (brother):

must care for his 73-year-old father-in-law. whose kidneys are damaged and who undergoes regular dialysis.

47. Both have resided separately with their own families for several years. The mere existence of relatives does not establish the availability of caregiving support; occasional assistance and continuous, full-time caregiving are entirely different things. Proximity does not create capacity. The ED has not established that any person is realistically available to replace the Applicant's role as spouse and primary caregiver.

48. The three children reside in the UAE and cannot relocate. There are no other adult family members residing with the Applicant's wife. The grant of interim bail on medical and humanitarian grounds will not, in any manner, prejudice the integrity of the investigation or the trial. It has been argued and prayed that the Applicant be granted interim bail for a period of six weeks, on such terms and conditions as this Hon'ble Court may deem fit, to enable him to care for his critically-ill wife during the ongoing phase of her treatment.

49. On the other hand it has been further argued by Ld. Spl. PP for ED that the bail application of the accused/applicant is devoid of merit and the jurisdiction of the present court shall not be effected even by any order passed in scheduled offence of grant of bail. It has further been argued that the children of the accused/applicant who are

all adults can very well travel back to India to take care of their ailing mother who is stated to be under stress. It has been argued that the averments made on behalf of the accused/applicant, regarding the fact that the finances for the ailment of the wife of the accused are also not available, since all the bank accounts of accused/applicant have been seized, is also devoid of merit. It has been argued that the bank account of the wife of accused/applicant has not been freezed and was having substantial amount, almost around 1 Crore and therefore, it is not the case of the accused/applicant that the wife of accused does not have financial resources to obtain her treatment. It has further been argued that the youngest son of accused/applicant had travelled to India recently and had accompanied her to the hospital for her Chemotherapy. It is further argued that the wife of accused/applicant had travelled to Dubai in the month of February, 2026 and the same shows that the wife of accused/applicant is in condition to take care of herself. It has further been argued that the real reason for seeking interim bail, is not to take care of the ailing wife but to seek relief of regular bail and further that grant of interim bail, should be granted for the shortest period. It has also been argued that the accused/applicant has also utilized the proceeds of crime in Dubai and therefore is at flight risk, and therefore, the bail application of accused/applicant should be dismissed.

COURT OBSERVATION

50. The present urgent bail application for seeking interim bail had been moved on behalf of accused/applicant on 02.06.2026, and therefore, the arguments have been heard on 06.06.2026 and 08.06.2026. Considering the prayer of the accused that the wife of accused/applicant is required to undergo a procedure namely Chemoport insertion surgery scheduled on 10.06.2026, the arguments have been heard at length.

51. In support of the arguments, Ld. Counsel for accused/applicant has relied upon the medical documents of the wife of accused/applicant of Apollo Hospital as well as of Yashodha Medicity. It is observed that the wife of the accused/applicant had initially been seeking treatment from Apollo Hospital, however, it is informed during the arguments that due to change of Doctor at Apollo, the wife of the accused/applicant is currently under treatment at Yashodha Medicity Hospital.

52. In view of the medical documents, placed on record, it is not disputed by ED that the wife of accused/applicant is suffering from Stage IV Cancer. Since, the medical documents relied upon by accused/applicant, have referred to several medical terms, the present court is constrained to decipher the meaning of the same, only from the submissions made on behalf of both the parties. It has been repeatedly argued on behalf of accused/applicant that the wife of accused/applicant is suffering from severe ailments and since she has

not improved after several rounds of Chemotherapy, the relief for seeking interim bail has been sought. I have carefully gone through the medical records relied upon by the counsel for accused/applicant pertaining to Apollo Hospital. The record pertaining to Apollo Hospital, does not mention regarding any impending urgency or critical condition of the wife of the accused/applicant. The language on the discharge summary of the wife of the accused/applicant, has specifically mentioned "*PET CT, post 6 cycles suggested of stable disease*". Further, also mentions "*plan maintenance therapy with inj bevacizumab 15 mg per kg every 21 days, good response to treatment etc*".

53. The aforesaid medical documents nowhere shows that the condition of the wife of the accused/applicant Mrs. Usma Akhtar is extremely critical or life threatening. Instead her condition has been stated to be stable during the treatment. The aforesaid medical record does show, that the treatment for her ailment is continuing and may be life long.

54. However, during the course of arguments, Ld. Counsel for accused/applicant placed on record another document of Yashodha Medicity Hospital dated 08.06.2026 regarding treatment to be given to her and having several questions and answers, allegedly answered by the treating doctor at Yashodha Medicity. The authenticity of the aforesaid documents has not been disputed by Ld. Spl. PP for ED,

however, the nature of the aforesaid document and the opinions could not be verified by ED. The aforesaid document also mentions

C. What is the future prognosis?

The prognosis for Stage IV ovarian cancer in the third-line setting is guarded. The 5-year relative survival rate for distant (Stage IV) ovarian cancer is approximately 30-31% overall, but this drops significantly with multiple lines of prior therapy and platinum resistance. Median survival from this point is often measured in months rather than years, with the goal shifting toward disease control, symptom palliation, and quality of life rather than cure.

Individual prognosis depends on factors such as:

Performance status (how well she is functioning daily)

Extent of disease and organ involvement

Response to current therapy

Nutritional status and comorbidities

Mrs. Akhtar is receiving active treatment aimed at prolonging survival and maintaining stability. Regular follow-up and supportive care (including palliative Input) are essential. Prognosis can be better than average with good response or newer targeted options, but honest discussions about goals of care are important for the family.

55. Even perusal of the aforesaid document does not show that the wife of accused/applicant is bed ridden or is unable to move. It is also not the case of the accused/applicant that the wife of the

accused/applicant is unable to do her daily routine work. Even during the course of arguments, Ld. Counsel for accused/applicant admitted that the wife of accused/applicant had travelled to UAE in the month of February, 2026 all by herself without any caregiver and had travelled between 04.02.2026 to 15.02.2026. On the aforesaid arguments Ld. Counsel for accused/applicant had submitted that she had travelled on a wheel chair and further she had travelled to visit her children in UAE, who have not been able to travel back to India.

56. The aforesaid aspect also clearly shows that the wife of accused/applicant is in a condition to take care of herself. Further, for her treatment at Yashodha Medicity Hospital, she will be admitted only in a day care and in all probability discharge on the same day. Further, for the further visits and for follow-up she is required to visit the hospital again. During the course of arguments, undersigned had also asked the accused/applicant, if he would wish to avail custody parole for one day, for attending the wife of the accused/applicant in the hospital, for which the accused/applicant flatly refused.

57. Further, the court cannot lost sight that the previous interim bail application of the accused/applicant was allowed only for the reason that there was war like situation, and the three adult children of the accused/applicant were unable to travel to India. However, no such situation or circumstances are prevailing now and the submissions made on behalf of accused/applicant that the adult children of the

accused/applicant cannot travel due to studies is discarded. It is expected from adult children to take care of their parents in such emergent situation and it cannot be said that the children cannot be a caregiver to their mother.

58. Therefore, in the present matter the accused/applicant has failed to show that the wife of accused/applicant is terminally ill or is unable to take care of her daily routine and requires constant support of the accused/applicant and further, that there is no other adult member or caregiver, who cannot be made available for the wife of accused/applicant.

59. **In view of the aforesaid, I am of the considered view that the both applications moved on behalf of accused/applicant are devoid of merit and hence dismissed.**

60. Application disposed off accordingly.

Order dasti.

[Sheetal Chaudhary Pradhan]
ASJ-02, South-East/Saket/Delhi
09.06.2026 (vk)