

IA No. 40-2026 in SC No. 439-2023
State Vs. Sahil Gahlot & Ors.
(applicant :- Sahil Gahlot)
FIR No. 76/2023
PS : Crime Branch
U/s : 302/201/202/212/120B/34 IPC

10.04.2026 at 4 PM

Present: Shri Girish Kumar Manhas, Ld. Addl. PP for State.
Shri Rohit Grewal, Ld. Counsel for the applicant/
accused.
IO Inspector Abhijeet present (through VC)

- 1. Vide my present Order, I shall dispose of the application filed by the applicant/accused Sahil Gahlot seeking interim bail for 21 days on account of the medical condition of his mother.*
2. It is stated in the application by the applicant that he is in judicial custody since 14.02.2023 and that his mother has been diagnosed with gall bladder stone measuring 19.7 mm and is required to undergo an operation on 11.04.2026. It is further stated that her health condition is not well and that no one is available to look after her during and after the operation. It has also been submitted that the family is facing financial hardship and that the applicant seeks release to withdraw money from his bank account for the medical and household needs of the family.
3. Ld. Counsel for the accused/ applicant also submits that the investigation in the present case has already been completed and number of prosecution witnesses have also

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been examined. It is also stated that the applicant belongs to a respectable family and there are no chance of his absconding or tampering with the prosecution evidence. It is further contended that the applicant is ready to abide by any terms and conditions imposed by this Court. Learned counsel for the applicant has further submitted that the mother of the applicant is to undergo treatment immediately tomorrow and therefore, the application be decided forthwith.

4. Reply/ Report has been filed by the IO verifying the medical documents of the mother of the accused/applicant. It is stated by the IO in his reply that the medical documents pertaining to Ms. Poonam Lata, mother of the applicant, were sent to Max Healthcare for verification and the same were found to be genuine. It has also been confirmed that the patient has been advised Robotic Assisted Cholecystectomy, which is categorized as a major surgical procedure. The verification report further states that the expected duration of hospitalization is approximately two days, subject to the patient's clinical condition and post-operative recovery and that though restricted physical activity may be advised for about 2 to 4 weeks, prolonged bed rest is not typically required.
5. Ld. Addl PP for the state and the IO however have strongly opposed the application on the ground that the applicant is the main accused in the present case. It is further submitted

that though the medical documents of the mother of the applicant stands verified, there is serious suspicion regarding the circumstances in which they were procured, inasmuch as the mobile phone location of the mother of the applicant at the relevant time, as per the location chart was found near Dhansa Village, close to her residence instead of Shalimar Bagh, where the hospital is situated. It is stated that further enquiry is underway and CCTV footage of the relevant period has been sought from the hospital. It is also submitted that there is every possibility that the applicant may not surrender in time if released on interim bail. Accordingly, it is prayed that the application of the applicant be dismissed.

6. I have heard Learned counsel for the applicant and the Learned Addl. PP for the State as well as the IO and further have carefully perused the record.
7. It is trite law that Interim bail on medical or humanitarian grounds is an exceptional discretionary relief which can be granted by the court. However, for obtaining such relief the applicant is required to make out a case of real and unavoidable necessity for temporary release. While genuine medical exigency of a family member is a relevant consideration, the Court must also be satisfied that the presence of the accused is indispensable and that adequate alternative arrangements are not available.
8. In the present case, though the medical documents of the

mother of the applicant have been verified from the concerned hospital and the proposed surgery has been confirmed, the hospital verification itself shows that the expected duration of hospitalization is approximately two days and that prolonged bed rest is not typically required. Thus, the medical record does not prima facie indicate such an extreme or prolonged medical situation that would necessarily require release of the applicant for 21 days. Further, the ground taken by the applicant that he is required to withdraw money from his bank account for the financial needs of the family also does not persuade this Court to grant interim bail. Such financial arrangements can be very well be made through other available family members and as such this ground itself is also not sufficient for temporary release of an accused facing serious charges.

9. Moreover, the Ld. Addl. PP for the State as well as the IO has raised a specific objection that the applicant is the main accused in the present case and has also pointed out suspicious circumstances regarding the surrounding facts of the treatment particularly the mobile phone location of the mother of the applicant at the relevant time. Though the medical documents have been verified, further enquiry in that regard is still underway. In these circumstances, this Court does not find it appropriate to extend the discretionary relief of interim bail to the accused/applicant.

Further the nature of the allegations against the applicant and the apprehension expressed by the prosecution that he may not surrender in time if released also cannot be ignored.

10. Therefore, having regard to the totality of the facts and circumstances, this Court holds that no sufficient ground is made out by the applicant/applicant for grant of interim bail. Accordingly, the present application of the accused/applicant seeking interim bail for 21 days is hereby dismissed.

Nothing observed herein shall be construed as an expression on the merits of the main case.

Copy of this order be given dasti to the Ld. Counsel for the accused/applicant as well as the IO as prayed for

**(Ravinder Singh - II)
ASJ-05/South-West District,
Dwarka/ Delhi/10.04.2026**