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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 107/2025 & CRL.M.(BAIL) 2393/2025**

SHRI KRISHAN

.....Appellant

Through: Ms. Sakshi Sachdeva, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Utkarsh, APP for the State.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

% **04.02.2026**

CRL.M.(BAIL) 2393/2025

1. This application under Sections 430(1) read with 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the appellant seeking interim suspension of sentence for a period of two months on medical grounds.

2. As per the direction of this Court *vide* order dated 21.01.2026, the report of the Jail Superintendent concerned has been filed.

3. The learned counsel for the appellant quite vehemently



and strenuously argues that the appellant has got a right to be given medical treatment and that he should be given an opportunity to be taken to a private hospital.

4. The application is opposed by the learned Additional Public Prosecutor who submits that the appellant's application seeking regular suspension of sentence on merits has already been dismissed by this Court and the report of the doctor will reveal that the best possible treatment is being given to the appellant and therefore, suspension cannot be granted on medical grounds.

5. Heard both sides.

6. The report of the doctor dated 02.02.2026 reads thus:

As per available medical record inmate patient is a known case of External Haemorrhoid Grade .11, Hypertension and Low Back Ache with radiculopathy apart from few Dental related complaints for which he is receiving treatment from Jail Dispensary and DDU Hospital. In view of Hon'ble Court direction to send inmate patient to Hospital for his medical examination for opinion whether surgery required or not. It is humbly submitted that inmate patient was sent to DDU



Hospital for detailed examination and to comment upon surgery, at present required or not wherein he was examined in detail and diagnosed that patient B/E Psedophekia with B/E glaucoma and opined that "At Present no glaucoma surgery required from ophthalmology side."

It is further submitted that at present, inmate patient is suffering from right secondary advanced glaucoma (End stage) which is affecting his eye sight, bleeding per rectum (External Haemon-hoid Grade II), Hypertension and Low Back Ache with radiculopathy for which he is being provided best possible treatment and is also under follow up from DDU Hospital and Jail Visiting Specialist but he is reportedly not showing desired response.

7. It is true that the appellant/accused has multiple ailments.

In such circumstances, the Jail Superintendent concerned is directed to make arrangements to get the appellant/accused examined by a doctor in the AIIMS hospital who shall give a report regarding the medical condition of the appellant. Thereafter, the Jail Superintendent concerned is directed to file a report along with the medical report by the next date of hearing.



8. List for hearing on 02.03.2026.

9. The Jail Superintendent concerned is directed to expedite the matter.

10. A copy of this order shall be sent to Jail Superintendent concerned for information and necessary compliance.

CHANDRASEKHARAN SUDHA, J

FEBRUARY 4, 2026/mj