



\$~18

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.A. 451/2020 & CRL.M.(BAIL) 8043/2020**  
**JAIDEEP SINGH SENGHER@ATUL SINGH** ..... Appellant  
Through: Mr. Ajay Burman, Sr. Adv. with Ms.  
Sasi Tripathi, Ms. Sadhvi Gaur, Adv.

versus

**CBI** ..... Respondent  
Through: Mr. Nikhil Goel, SPP with Mr.  
Dushyant Sarna, Adv.

**CORAM:**  
**HON'BLE MS. JUSTICE ANU MALHOTRA**

**ORDER**  
% **15.10.2020**  
(hearing through video conferencing)

**CRL.M.(BAIL) 8043/2020**

The medical report dated 08.10.2020 of the Medical Officer, In charge, Central Jail Hospital and Dispensary, Central Jail No.3, Tihar forwarded by the report dated 09.10.2020 of the Superintendent of Prison, Central Jail No.3, Tihar has been received which indicates that the applicant was referred on 07.09.2020 to the AIIMS Cancer Centre (IRCH) and he was registered and evaluated by Surgical Oncology team and was advised necessary investigation and was reviewed on 07.10.2020 and investigation confirmed a diagnosis of oral cancer (lower lip) locally advanced stage for which the applicant needs elective major cancer surgery followed by post operative radiotherapy within next 3-4 weeks and it has been specified that presently the current condition of the appellant is stable; that oral cancer is not a life-threatening condition but that the applicant needs to be treated in



the next 3-4 weeks and that the applicant needs approximately two weeks of hospitalization for surgery which would be followed by radiation and duration of radiation can extent to six weeks.

In the circumstances, it is considered appropriate that the applicant is admitted for surgery on 19.10.2020 at the AIIMS at Oncology Surgery Department.

A submission is made on behalf of the applicant that the prayer seeking the grant of interim bail may be presently kept pending till the surgery is performed. A further submission is also made on behalf of the applicant that the applicant be allowed to have an attendant with him.

On behalf of the CBI it has been submitted that in as much as all adequate medication is being provided by the jail authorities through the AIIMS to the applicant, the medical attendant would also be provided by the jail authorities and there is no requirement of any other attendant.

In the interest of justice, however apart from the medical attendant being provided by the jail authorities in as much as the applicant is required to be in custody of the jail presently at the AIIMS, Oncology Surgery Department during the period that he is hospitalised in the said department, the presence of one family member of the applicant is permitted during the period that the applicant is in the AIIMS, Oncology Surgery Department subject to the medical guidelines permitting the presence of such family member during any treatment being provided by the AIIMS, Oncology Surgery Department.

The report of AIIMS, Oncology Surgery Department after the surgery is performed and the applicant's medical condition be sent by the Superintendent Jail, Delhi for the date 09.11.2020, for which date, the matter



be renotified.

Copy of this order be sent to the Superintendent Jail, Delhi.

**ANU MALHOTRA, J**

**OCTOBER 15, 2020**

**vm**