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

+ **CRL.A. 580/2020**

**KAMTA PRASAD SINGH**

..... Appellant

Through: Mr. Akhand Pratap Singh, Adv.

Versus

**CENTRAL BUREAU OF INVESTIGATION**

..... Respondent

Through: Mr. Kartik Kaushal, Adv. for Mr.  
Nikhil Goel, SPP

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**23.12.2022**

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**CRL.M.(BAIL) 1509/2022 (interim suspension of sentence )**

1. The present application has been moved for interim suspension of sentence for a period of four weeks on the medical grounds.
2. The report was called from the Central Jail No 10, Rohini, Delhi. Senior Medical Officer In-Charge, Central Jail No. 10, Rohini, New Delhi has sent the report reference No. MO I/C./CJ-10/2022/5036 dated 16.12.2022 which is read as follows;

*“As per the available medical records, the inmate patient is a known case of Thalessemia minor with Hypertension with piles Bleeding PR with diminution of vision with recurrent jaundice.*

*The inmate patient have been reviewed multiple times in OPD with related complaints like bilateral knee pain, constipation, general itching over the body, weakness, cervical pain, shoulder pain, for which he is under regular follow up from doctor on-duty.*



*Jail Visiting specialists, AIIMS, Dr. BSA Hospital and GB Pant Hospital.*

*On 16.09.2022, the inmate patient was referred to Dr.BSA Hospital Orthopaedics department for his complaint of pain in right knee, wherein he was examined and was advised appropriate treatment. Further, patient was reviewed in general OPD on CJ-10 dispensary by doctor on-duty on 31.10.2022, 14.11.2022 and 01.12.2022 as a follow up case of Hypertension with Joints pain, Thelesemia with low back ache and advised treatment accordingly.*

*In compliance of Hon'ble Court order, the inmate patient was reviewed by the undersigned on 13.12.2022 as a known case of Hypertension with polyarthralgia, Thelesemia, wherein he gave complaint of generalized weakness, joint pain, yellowish discoloration of skin. On examination, his BP was on higher side (BP-160/110 mm/hg ), accordingly, treatment was advised.*

*At present, the general condition of the inmate patient is stable and all the prescribed medications are being provided to him from Jail Dispensary.*

*This is for your kind information and onward submission to the Hon'ble High Court of Delhi.”*

3. Learned counsel for the CBI has opposed the interim suspension of sentence stating that on earlier occasions, the interim bail application moved by the petitioner has been dismissed by this Court. However, learned counsel for the CBI has been able to place only one order dated 28.05.2021 whereby the application for suspension of sentence on medical ground was dismissed as withdrawn.
4. Learned counsel for the appellant submits that he shall not seek extension of interim bail. The medical status report filed by the Senior Medical Officer In-Charge, Central Jail No. 10, Rohini, New Delhi



makes it clear that appellant is suffering from various serious ailments.

5. This Court is of the firm opinion that every prisoner has a right of effective and adequate treatment. Taking into account the medical status report of the appellant, the appellant is admitted to interim bail till the 23<sup>rd</sup> January, 2023 subject to furnishing of personal bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the learned Trial Court/CMM/Duty MM, subject to the following conditions:-

- (i) The appellant shall remain only at Kanpur address i.e. LIG-27, Jarauli-1, Barra Kanpur Nagar, U.P.;
- (ii) The appellant shall remain available on mobile number i.e. 7275920742, which he undertakes to keep operational during the pendency of the present appeal;
- (iii) The appellant shall further remain in touch telephonically with SI Ravi on mobile number i.e. 9871680807 on the first Monday of every month;
- (iv) In the event of change of his residential address/ contact details, the appellant shall promptly inform the same to the I.O./SHO, P.S. PS Makhi, Unnao, U.P.;
- (v) The appellant shall remain present in the Court as and when the appeal is taken up for hearing;
- (vi) The appellant shall not in any manner misuse his liberty;



(vii) The appellant shall remain available on Mobile No.- 7275920742, and shall drop a PIN on the Google map to ensure that his location is available to the Investigating Officer;

(viii) The appellant shall not be in touch with the co-accused and shall not make any effort to threaten or tamper with the prosecution witnesses;

(ix) The appellant shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending case.

(x) The appellant shall surrender before the Superintendent Jail, Central Jail No 10, Rohini, Delhi on or before 23<sup>rd</sup> January, 2023 at 5:00 p.m.

6. Copy of the order be immediately sent to the Superintendent, Jail for compliance.

7. Copy of the order be given *dasti* under the signatures of the Court Master.

8. The present application stands disposed of.

**CRL.A. 580/2020, CRL.M.(BAIL) 8335/2020, CRL.M.(BAIL) 435/2022**

List the matter on the date already fixed i.e. on 13<sup>st</sup> February, 2023.

**DINESH KUMAR SHARMA, J**

**DECEMBER 23, 2022/Pallavi**