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

+ **CRL.A. 1109/2025**

NAUSHAD

.....Appellant

Through: Ms. Aishwarya Rao & Mansi Rao
Advs.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Ritesh Kumar Bahri APP with
Mr. Lalit Luthra, Mr. Rajender Pal,
Advs.
Insp. Rajesh Verma PS Narela.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **30.04.2026**

1. This hearing has been done through hybrid mode.

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2. The present application has been filed by the Appellant under Section 430 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking interim bail for a period of one month.
3. The ground for filing the present application is that the Appellant's daughter, who is seven years of age, has recently undergone a surgery.
4. The surgery of the Appellant's daughter was conducted at the Lok Nayak Jai Prakash Narayan Hospital (*hereinafter, LNJP Hospital*) and the said documents were to be verified, however, the Hospital initially did not co-operate, which compelled this Court to direct the Medical Superintendent of the hospital to be present today.
5. Pursuant to the said order dated 22nd April, 2026, Dr. J.K. Basu,



Additional Medical Superintendent, along with Mr. Hema Rathi and Mr. Gazab Singh are present before the Court today.

6. The said staff of the LNJP Hospital apologize for lack of coordination in this matter. It has been impressed upon the staff of the Hospital that whenever such requests are sent from the Court for confirming any medical status of a relative or *kith and kin* of a convict or under trial person, the hospital ought to take the matter seriously and immediately give instructions to the concerned I.O.

7. For the said purpose the Court has been informed that there is some general protocol which has now been issued in all medico-legal cases to all the departments.

8. The Medical Director of LNJP Hospital– Dr. B.L. Chaudhary, shall ensure that this SOP/protocol which has been given to the concerned Head of Departments is implemented on ground and does not remain merely on paper.

9. It also appears that the digitization of records and moving on the NextGen e-Hospital Platform has not been completed by the LNJP Hospital, despite a strict timeline prescribed by this Court to GNCTD in another batch of cases.

10. Thus, on these aspects, a compliance report/status report shall be filed by the LNJP Hospital by the next date of hearing.

11. In so far as the interim suspension of the Appellant is concerned, the documents attached with the application have all been verified and the LNJP Hospital has confirmed in its report dated 29th April, 2026 that the surgery of the daughter of the Appellant was conducted on 24th March, 2026 and she was discharged on 26th March, 2026.

12. The Relevant extracts from the report of the LNJP Hospital are set out



below:

S.No.	Details/Information Required	Reply
2.	Please provide details of the treatment received by the patient at your hospital including the diagnosis for which she was treated. Additionally, clarify whether she was advised admission or managed on an outpatient basis.	The patient was treated for chronic tonsillitis with adenoid hypertrophy , first on an OPD basis, then undergone surgical intervention (Adenoid curettage with bilateral tonsillectomy) on 24.03.2026 under general anesthesia for which patient admitted on 23.03.2026 and discharged on 26.03.2026 by Dr. Ashish Gopal, Consultant (ENT).
3.	Please confirm whether the patient was suffering from any acute illness or any other medical condition.	Yes, the patient was suffering from chronic tonsillitis with adenoid hypertrophy .
5.	Please inform whether any surgical intervention was advised or planned for the patient.	Patient was undergone adenoid curettage with bilateral tonsillectomy under general anaesthesia on 24.03.2026.
6.	Please share any other relevant medical information or observations regarding the patient condition and treatment.	Patient was vitally stable and symptomatically better after surgery. The Child (Aayat, 7 year/Female) was admitted on 23-03-2026 and operated on 24-03-2026, after satisfactory recovery, patient was discharged from ENT ward on 26-03-2026. This procedure healing duration is generally accepted as 10-12 days. So there is no requirement of any special care or presence of any relative beyond this period.

13. Considering the above medical condition of the daughter of the



Appellant, the Court is inclined to grant interim suspension of sentence for a period of 30 days to the Appellant, subject to the following conditions:

- i. The Appellant shall furnish a personal bond for a sum of Rs.10,000/- , with a surety of like amount to the satisfaction of the Trial Court/Link Court;
- ii. The Appellant shall provide his live phone number and residential address to the S.H.O., P.S. Narela and regularly update the SHO about the change in address and phone number, if any;
- iii. The S.H.O of P.S. Narela or the concerned Investigating Officer shall verify the address and the mobile no. of the Appellant;
- iv. The Appellant shall stay in regular touch with the concerned Investigating Officer;
- v. The concerned Investigating Officer is at liberty to check upon the Appellant, during the time when he is on interim bail;
- vi. The Appellant shall report to SHO, P. S. Narela, on every Monday at 11:00 A.M. and shall be discharged by 12:00 noon, after recording his presence and completion of all the necessary formalities;
- vii. The Appellant shall not indulge in any criminal activity and upon any such activity being discovered or indulged into, the present suspension of sentence shall automatically stand cancelled;
- viii. The Appellant shall not leave Delhi without prior permission of this Court;
- ix. The Appellant shall not contact the family of the deceased in any manner.

14. The Appellant shall surrender before the concerned Jail Superintendent upon expiry of the period of interim bail.



15. The application is allowed and disposed of in the above terms.
16. A copy of this order be communicated to the concerned Jail Superintendent for necessary information and compliance.
17. Order be uploaded on the website of this Court *forthwith*.
18. The observations made in this order shall not affect the final hearing in the appeal.

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19. List for submission of the report by the LNJP Hospital, and for further hearing on 18th August, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

APRIL 30, 2026/prg/ss