

ITEM NO.53

COURT NO.7

SECTION II-D

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Crl.) No.3752/2026

[Arising out of impugned final judgment and order dated 06-11-2025 in BA No. 4357/2024 passed by the High Court of Delhi at New Delhi]

SHIVAM SHUKLA

Petitioner(s)

VERSUS

STATE (GNCT OF DELHI)

Respondent(s)

(FOR ADMISSION and I.R.)

(IA No. 65282/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT & IA No. 65283/2026 - EXEMPTION FROM FILING O.T.)

Date : 13-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :

Ms. Binisa Mohanty, AOR
Mr. Balraj Singh Malik, Adv.
Mr. Ram Niwas Khatkar, Adv.

For Respondent(s) :

Mr. S.D. Sanjay, ASG (N.P.)
Ms. Parthvi Ahuja, Adv.
Mr. Khushal Kolwar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The learned counsel for the Respondent has pointed out that in Para 3 of the Order dated 13-3-2026, it has been inadvertently mentioned that the learned counsel appearing for the State of Rajasthan has produced a Certificate issued by the Senior Medical Officer, Central Jail 13, Mandoli as regards the medical health of the petitioner, whereas it is the learned counsel for the State (GNCT of Delhi) who has produced a Certificate.

2. In view of the aforesaid, the words "State of Rajasthan" occurring in Para 3 of the Order dated 13-3-2026 shall be read as "State (GNCT of Delhi)."

3. The other contents of the Order dated 13-3-2026 shall remain intact.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

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UPON hearing the counsel the Court made the following
O R D E R

1. Our Order dated 27-1-2026 reads thus:-

1. The petitioner prays for regular bail in connection with First Information Report No.288/2019 registered with Ghazipur Police Station, Delhi for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code (for short, "the IPC").

2. It appears that the petitioner is in jail past more than 5 years. The trial is in progress.

3. So far, 16 witnesses have been examined. In all, the prosecution intends to examine 24 witnesses. However, we are inclined to issue notice, considering the medical condition of the petitioner.

4. The Senior Medical Officer, Central Jail No.13, Mandoli, Delhi, has issued a certificate dated 07.02.2026, which reads thus:-

"Submission of detailed medical status report of patient/inmate Shivam S/o Udaybhan"

In reference to communication received at the office of the undersigned from Hon'ble Court regarding detailed medical status report of pt/inmate Shivam S/o Udaybhan. The following points may be noted.

1. He is currently lodged in Mandoli Jail since 15.09.2022. Patient is a follow up case of alopecia (skin disease) and treatment receiving from dermatology department GTB hospital.

2. On 22.01.2026, patient came to jail opd with the complaints of stomach pain, fever, vomiting and the undersigned examined the patient and prescribed medications, blood test. During blood investigation, patient was diagnosed as Hepatitis B Virus positive and referred to the medicine department GTB Hospital for further management. Where the treating doctor examined and prescribed the medications, some sets of blood tests, ultra sound whole abdomen. Appointment for ultrasound given on 13.02.2026 by the GTB Hospital. All the blood tests are done and reports are awaited.

3. Patient persistently coming to the jail opd with the same complaints and his abdominal was not relieved by the injections. Therefore, on 07.02.2026, 13:30, on duty doctor referred the patient/inmate to the GTB Hospital on emergency basis for further management. Now, patient is in the GTB Hospital for the treatment and further compliance report will be submitted.

5. Issue notice, returnable on 11.03.2026.

6. Liberty is granted to serve one copy of the entire paperbook to the learned counsel appearing for the State (Government of NCT of Delhi)."

2. Our last Order dated 11-3-2026 reads thus:-

1. We heard the learned counsel appearing for the petitioner and Mr. Sanjay, the learned Additional Solicitor General appearing for the State (GNCT) of Delhi.

2. We also looked into our last Order dated 27-2-2026.

3. We want to know from the learned Additional Solicitor General about the medical condition of the petitioner.

4. In regard to the aforesaid, the learned ASG should obtain a Certificate from the Medical Superintendent of the Hospital attached to the Jail in which the petitioner has been confined.

5. We would like to know exactly the ailment with which the petitioner is suffering, the nature of the treatment being provided to him and his overall health.

6. We also take notice of the fact that the petitioner as an under-trial prisoner languishing in jail past five years and the trial is in progress.

7. List on 13-3-2026."

3. In pursuance of our last Order, referred to above, the learned counsel appearing for the State of Rajasthan has produced a Certificate issued by the Senior Medical Officer, Central Jail 13, Mandoli as regards the medical health of the petitioner.

4. The Certificate reads thus:-

"In reference to communication received at the office of the undersigned from Hon'ble Court, regarding medical status report of patient/inmate Shivam s/o Udaibhan. The following points may be noted for your onward submission:

1. As per medical records available patient is currently admitted in Central Jail Hospital, Mandoli since 12.02.2026 for Jaundice, This patient is a known case of hepatitis B, Patient is also receiving regular treatment for folliculitis and cicatricial alopecia (hair loss) from jail OPD.

2. Patient is receiving treatment from GB Pant hospital, Department of Gastroenterology & his last visit to GBPH was on 10.03.2026, the doctor advised to continue the same medicines and also advised certain investigations, CBC, LFT, KFT, PT-INRHBV viral load, the tests have been carried out, and investigations HBe Ag, Anti HBe Ag are pending & reports of which will be received after two weeks (as informed by lab technicians of GB Pant hospital). The treating department of Gastroenterology at GBPH has advised USG whole abdomen and the patient will be sent on the allotted date of 07.04.2026.

3. Patient was admitted in GTBH, from 09.02.2026 to 12.02.2026 with complaints of abdominal pain and vomiting and was discharged after receiving necessary treatment. At present, patient is stable and vitals are within normal limits."

5. In view of the aforesaid, we order that the petitioner be released on bail, subject to terms and conditions that the Trial Court may deem fit to impose.

6. With the aforesaid, the Special Leave Petition is disposed of.

7. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)