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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2858/2024 & CRL.M.A. 23987/2024**

GURJIT SINGH

..... Applicant

Through: Mr. Aditya Aggarwal &
Mr. Manas Aggarwal,
Advocates.

versus

NARCOTICS CONTROL BUREAU

.....Respondent

Through: Mr. Arun Khatri, Senior
Standing Counsel with
Mr. Sahil Khurana & Mr.
Akshay, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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16.08.2024

1. The status report filed on behalf of the Jail Superintendent indicates that the applicant could not be admitted in Apollo hospital since he did not undertake to bear the expenditure that may be incurred by the State for travelling, security etc. Mr. Aditya Aggarwal, Advocate, has handed over his own affidavit.
2. He submits that the applicant is in custody.
3. He submits that he has taken instructions from the wife of the applicant that the financial position of the family is not such that they can bear the expenses for security etc.
4. He submits that the applicant for the purpose of treatment would also have to incur an expenditure of approximately ₹7,50,000/- and the family is not in a position to arrange more money.
5. Mr. Arun Khatri, the learned Senior Standing Counsel for NCB on instructions submits that there is no procedure where the expenditure could be borne by NCB.



6. This Court, in order dated 03.07.2024, after perusing the report filed by the Medical Officer, Incharge, Central Jail, had noted that the applicant has been suffering from various ailments. Para 3 of the order dated 03.07.2024 is reproduced below:

“3. From the perusal of the report filed by the Medical Officer, Incharge, Central Jail, it is apparent that the applicant has been suffering from various ailments and is reviewed by jail visiting Doctor on almost daily basis. The applicant seems to be requiring the medical attention of the doctors from different specialities. The applicant is also stated to be suffering from Herpes which is a serious condition and is contagious in nature. It is stated that the applicant has been admitted under isolation at CJ-04 Dispensary and has been advised to maintain hygiene and avoid hot humid environment to prevent relapse of the disease. The report also indicates that the MRI of the brain and cervical spine is advised by the treating Neurologist but is stated to be scheduled after eight months on 17.02.2025.”

7. Thus, it cannot be disputed that the applicant requires urgent medical attention. It is also not disputed that the All-India Institute of Medical Sciences (‘**AIIMS**’), is not in a position to admit the applicant.

8. In view of the above, the present application is allowed and the applicant is directed to be released on interim bail for a period of thirty days, only on humanitarian grounds, on furnishing a personal bond for a sum of ₹50,000/- with one surety of the like amount with the satisfaction of the learned Trial Court on the following conditions:

- a. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;



- b. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;
 - c. The applicant should inform the IO about the specific treatment, detail of treating doctor and hospital.
 - d. The applicant shall not leave Delhi during his treatment.
 - e. The applicant shall, upon his release, speak with the concerned IO once every day;
 - f. The applicant should visit IO at least once a week.
 - g. The applicant shall drop his location pin every two days;
 - h. The applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever.
9. The applicant is directed to surrender on or before the 30th day of his release, before the concerned Jail Superintendent.
10. The bail application stands allowed in the aforesaid terms.

AMIT MAHAJAN, J

AUGUST 16, 2024

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