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

% *Date of Decision: 09.06.2025*

+ BAIL APPLN. 889/2025

SHAILENDER SINGH @ SONU .....Applicant

Through: Ms. Simran Agarwal, Ms. Dolly  
Sharma, Advocates.

versus

STATE, NCT OF DELHI .....Respondent

Through: Mr. Laksh Khanna, APP for the State.

**CORAM:**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**TEJAS KARIA, J. (Oral)**

**CRL.M.(BAIL) 980/2025**

1. This is the second application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNS'), on behalf of the Applicant praying for an extension of interim bail for a period of sixty days in CRL.M.(BAIL) NO. 542/2025 in BAIL APPLN. 889/2025 in FIR No. 613/2019 registered at PS Paschim Vihar West under Sections 365/302/392/376/411/201/34 of the Indian Penal Code, 1860 ('IPC').
2. This Court, *vide* order dated 20.03.2025, granted interim bail to the Applicant. The interim bail of the Applicant was extended from time to time by this Court *vide* orders dated 09.04.2025, 15.04.2025, 17.04.2025 and 28.04.2025.
3. Thereafter, the Applicant has filed the present Application seeking extension of the interim bail, which was listed before this Court for the first time on 05.05.2025. It was submitted that although the period of interim bail granted *vide* order dated 20.03.2025, was to expire on 05.05.2025, the Applicant's hip surgery was fixed on 06.05.2025 and, because the Applicant was not in a position to move, an extension of interim bail was sought. This Court *vide* order dated 05.05.2025, extended the interim bail for one week



while making it clear that in case the surgery was not performed within a week, the Applicant shall surrender before the Jail Superintendent on expiry of one week from 05.05.2025 and that the interim bail shall not be extended on the same ground again. On 13.05.2025, it was submitted on behalf of the Applicant that since the blood sugar level of the Applicant was high, the surgery could not be performed within one week from 05.05.2025. Accordingly, the interim bail of the Applicant was extended for a one week from 13.05.2025 and it was made clear that if during that period, the Applicant was not taken up for surgery, he shall surrender on expiry of one week from 13.05.2025.

4. On 20.05.2025, the learned counsel for the Applicant placed on record more medical documents of the Applicant to show that he would be admitted in the hospital on 24.05.2025 for undergoing the hip surgery. In view of the same, the interim bail of the Petitioner was extended till 27.05.2025 in order to provide time to the Respondent for verifying the additional medical documents submitted by the Applicant.

5. On 27.05.2025, the status report filed by the Respondent was taken on record. The learned counsel for the Applicant submitted that the date of Petitioner's surgery was fixed for 02.06.2025 and requested for extension of his interim bail. The learned Additional Public Prosecutor ('APP') for the State was directed to submit a fresh status report to verify whether the Applicant had to undergo any hip joint surgery or not, and also verify his address where he was residing. In view of the same, the interim bail of the Applicant was extended till 29.05.2025.

6. On 29.05.2025, the status report filed by the learned APP was taken on record. As per the status report, the admission of the Applicant for hip bone surgery has been fixed for 27.06.2025 and, thereafter, the date of surgery would be fixed. It was submitted by the learned APP that the



Applicant should surrender as the date of admission for hip bone surgery is 27.06.2025. However, the learned counsel for the Applicant submitted that the ear surgery of the Applicant was scheduled for 02.06.2025 and the medical documents regarding the same were handed over to the learned APP. Accordingly, interim bail of the Applicant was further extended for a period of ten days to verify the medical documents submitted by the Applicant. Accordingly, the application was listed on 09.06.2025 before the Vacation Bench.

7. When the matter was taken up, the learned APP has filed a status report dated 09.06.2025. The same is taken on record. As per the status report, upon verification of medical document, it was found that the treating doctor, Dr. Sandeep Patel is on summer vacation till 15.06.2025 and till then, no surgery would be possible. It was further verified that the date of 24.06.2025 given on card is not for surgery. Further, there were discrepancies found in the clinical details of the Applicant as the clinical details mentioned in the OPD card enclosed with the Application for the interim bail were of patient name Amarnath Yadav and, therefore, the medical records submitted by the Petitioner were fabricated. The status report further mentions that as per the ENT department, patient was not planned for any ear surgery but he was advised that he might meet adenoidectomy surgery in future, which is an elective surgery of adenoid gland in nasopharynx and it is not an ear surgery. It is further mentioned that there is a long waiting list for this surgery from six to nine months and the Applicant was not planned for any surgery on 02.06.2025. The card which had the name of surgery written over it, did not have any other details of the patient and not even the name of the Applicant.

8. It was submitted by the learned counsel for the Applicant that the medical records submitted by the Applicant were genuine and there is no



fabrication. It was submitted that the CR number of the Applicant in the previous medical records, which were found to be genuine by the Respondent, remains the same in the latest medical records filed by the Applicant. Therefore, there is no discrepancy or any fabrication of the medical records.

9. *Per contra*, the learned APP submits that the Applicant has misused the liberty given by this Court by repeatedly asking for extension of the interim bail on one pretext or the other. Therefore, the Applicant is not entitled for any further extension of interim bail. It was further submitted that the status report dated 09.06.2025 clearly shows that the Applicant has been misleading this Court by submitting false and fabricated medical records.

10. Considering the number of extensions taken by the Applicant on the ground of medical surgery, which will be only possible after 24.06.2025, the Applicant has not made out a case for further extension of interim bail. Even the ear surgery which was stated to be on 02.06.2025, was not performed and as there was no such ear surgery planned on that day, the same cannot be ground for further extension of interim bail.

11. Accordingly, the present application is hereby dismissed and the Applicant is directed to surrender on or before 13.06.2025. The interim bail granted earlier is extended till the actual surrender on the same terms and conditions imposed while granting interim bail.

12. A copy of this Order be sent to the concerned Jail Superintendent for information and necessary compliance.

**TEJAS KARIA, J**  
**(VACATION JUDGE)**

**JUNE 9, 2025/ 'A'**

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