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

+ **EX.P. 42/2020, CCP(O) 6/2022, CCP(O) 25/2022, CCP(O) 39/2022, CCP(O) 60/2022, CCP(O) 5/2023, CCP(O) 68/2023, CCP(O) 69/2024, CCP(O) 15/2025, CCP(O) 51/2025, CRL.M.A. 816/2022, EX.APPL.(OS) 942/2020, EX.APPL.(OS) 1036/2020, EX.APPL.(OS) 465/2021, EX.APPL.(OS) 63/2022, EX.APPL.(OS) 2865/2022, EX.APPL.(OS) 3003/2022, EX.APPL.(OS) 1352-1355/2024, EX.APPL.(OS) 1437/2024 and EX.APPL.(OS) 1080/2025**

SARABJIT SINGH CHADHA

.....Decree Holder

Through: Mr Abhijat, Sr. Advocate with Mr.Rohit Gandhi, Mr Hargun Singh, Mr.Siddharth Kaushik, Ms Akshita Nigam and Mr Varun Trivedi, Advocates.

versus

DINESH SEHGAL

.....Judgement Debtor

Through: Mr.Aditya Wadhwa, Mr.Arn timer, Ms.Shivani, Advocates for JD.
Mr Awadhesh K. Singh, Advocate for respondent no.2.
Insp. Rajender Kumar Jain, SHO, Insp. Manjit Singh and ASI Bedi Ram.
Ms Anusha Nagarajan with Ms.Vartika Aggarwal and Ms Carina Arora, Advocates for applicants – Mr.Ramesh Narang and Mr Sandeep Narang.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR timer KUMAR KAURAV

ORDER

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12.08.2025

1. *Vide* order dated 11.02.2025, the Court found that the judgment-



debtor was in violation of the duly shown affidavit and also of the undertaking given before the Court; and therefore, holding him guilty, warrant of arrest was directed to be issued. The order dated 11.02.2025 also considers the earlier directions passed from time to time.

2. Thereafter, the judgment-debtor approached the Division Bench of this Court in CONT. APP (C) 6/2025 and the Division Bench *vide* order dated 24.02.2025 earlier stayed the arrest of the judgment-debtor, however, *vide* final judgment dated 19.05.2025 dismissed the appeal and in paragraph nos. 11 to 18 thereof, has held as under:-

“11. Mr. Rohit Gandhi, Id. Counsel for the Respondent opposes both the submissions. It is his submission that the order dated 29th August, 2022, in itself ought to be treated as a Notice to Show Cause as to why contempt proceedings should not be initiated against him. In any event, the repeated opportunities extended to a Appellant, along with each order granting adjournment in the contempt proceedings, would, in effect, constitute sufficient notice to the Appellant as to why contempt proceedings ought not to be initiated. This Court, by the detailed order on the last occasion on 01 May, 2025 also had called the Appellant today which can also be treat^d as a Show Cause Notice as to why action ought not to be taken.

12. Under such circumstances, the first submission made on behalf of the Appellant is not tenable.

13. Insofar as the prayer for adjournment in order to arrange for funds is concerned, the Court has given sufficient and adequate opportunities to the Appellant to discharge the liability and to comply with his own undertakings given before this Court.

14. In fact, both the Id. Single Judges and this Court also have afforded multiple opportunities to the Appellant to discharge his liabilities, however, there has been no bonafide attempt to do so. Even today, despite the detailed previous order, the Appellant merely submits that he is in a position to pay only a partial portion of the amount to the tune of Rs. 25,00,000/-.

15. Lastly, the Appellant's submission regarding his inability to repay the debt on account of alleged business losses cannot be sustained in view of



the unequivocal undertakings furnished by him before this Court.

16. As recorded in the previous order, the Appellant is enjoying a good and lavish lifestyle, living in a bungalow in Friends Colony, South Delhi and is also running a business with his wife and son under the name and title 'Sehgal Brothers Retail in South Extension. Considering the numerous opportunities provided to the Appellant and various undertakings made by him before this very Court, this Court has no option but to hold that the impugned order dated 11th February, 2025 is fully justified and does not warrant interference.

17. The present appeal is dismissed in the above terms. Pending applications, if any, are also disposed of.

18. The warrants of arrest in terms of the impugned order dated 3rd February, 2025 be executed through the concerned Station House Officer.”

3. Even the SLP filed against the order the Division Bench of this Court was dismissed *vide* order dated 29.05.2025.

4. Thereafter, the matter was taken up by this Court on 28.05.2025 and having noticed the observations made by the Division Bench, the Court directed the concerned SHO to positively execute the warrant of arrest in terms of earlier directions passed *vide* order dated 03.02.2025.

5. Accordingly, the matter was called out on 30.07.2025 and on that date, an application was presented by the judgment-debtor requesting to constitute a medical board to examine the general medical condition of the judgment-debtor.

6. Having considered the said application, the Court in paragraph nos.7 to 17 has passed following directions:-

“7. During the course of hearing on application bearing EX.APPL.(OS) 1080/2025, it is prayed that a medical board be constituted to examine the general medical condition of the judgment-debtor.

8. Having considered the case summary of the judgment-debtor and various other facts and circumstances, the Court finds it appropriate to



direct the Director, AIIMS-Delhi, to constitute a board of expert(s) to examine the medical condition of the judgment-debtor, as to whether he is physically and psychologically fit.

9. Let the report of the constituted medical board be submitted before the Court within seven (7) working days from the receipt of the copy of the order passed today.

10. Let the concerned SHO, i.e. Insp. Rajender Kumar Jain to also assist the medical team in order to examine the medical condition of the judgment debtor, namely Mr. Dinesh Sehgal.

11. The Court on 28.05.2025, directed the concerned SHO, to positively execute the warrants of arrest, in terms of order dated 03.02.2025 and to file the compliance report thereto, failing which the concerned SHO was to remain personally present. However, when the matter was called out, the SHO has sent the Addl. SHO to place on record the purported compliance report.

12. The Court, therefore, directed the matter to be kept in pass over in the first round and to seek for explanation of the SHO.

13. The concerned SHO is present when the matter is called out in second round, and he has explained that on account of some emergency, he had to attend the doctor and therefore, he could not appear before the Court when the matter was called out. He tenders an unconditional apology.

14. Mr. Awadhesh Kumar Singh, learned counsel who appears on behalf of the SHO, submits that his absence in first round was bonafide and the same was not deliberate.

15. The apology of the concerned SHO is taken on record.

16. Let the matter be called out for passing appropriate directions on 12.08.2025.

17. The concerned SHO shall also remain personally present on the next date of hearing.”

7. In pursuance to the directions passed by this Court, Mr.Rajender Kumar Jain, SHO, PS New Friends Colony has presented a compliance report. The said compliance report is extracted as



under:-

“1. That, in continuous of previous Report dated 28.07.2025 submitted, it is further submitted that in compliance of the directions of Hon'ble Court, the Medical Board has been constituted by AIIMS Hospital vide letter No. F.2-74 /Medical Board/2025-Estt.(H) Dated 04.08.2025 (Annexure “A”).

2. That in pursuance of the direction of Medical Board, on 06.08.2025, Judgment Debtor Mr. Dinesh Sehgal was physically produced before the Medical Board AIIMS under the medical supervision of the Fortis Escort and Heart institution / Hospital.

3. That after medical examination by the Medical Board, JD Dinesh Sehgal was again re-admitted in the Fortis Escort Hospital as per the direction of Medical Board AIIMS.

4. It is submitted that copy of the Medical Report of the Medical Board was not provided to police by the Medical Board AIIMS. It was told by the Medical Board that the report shall be filed directly in the Hon'ble Court by the Medical Board.

5. Thereafter, it was observed by the process server ASI Bediram that the general health condition of JD Dinesh Sehgal was improved. As his ventilator, (VA-ECMO) and other medical support were removed. He was found speaking and walking in his room. In view of this, information was sent to Superintendent Central Jail Tihar (Jail No. 7) vide letter No. 1788 /R-SHO/PS NFC, dated 09.08.2025 requesting him to deploy Guard in Fortis Escort Hos;)ital for taking over the custody and supervision of JD Dinesh Sehgal after his arrest. (Annexure “B”).

6. That thereafter the JD Dinesh Sehgal was formally arrested by ASI Bediram on 10.08.2025 in Fortis Escort Hospital and inm was given to his son Udit Sehgal who was m Hospital. Ground of arrest was given in writing to JI;Dinesh Sehgal. After making arrest, the formal custody was . hafided over to the guards of 3rd Battalion/ NAV(Nyayik Abhiraksha Vahini) namely HC Mahender No. 2317 /DAP and Ct. Ajit Singh No. 7950/DAP who were deployed by The Superintendent Tihar Jail Authority.

7. Presently, the custody of JD Dinesh Sehgal is with the guards of 3rd Bn./NAV under the Medical Supervision of Escort Hospital. The further action shall be taken by the Jail Authority as per Jail Manual/Rules. (The report of process ASI Bediram is enclosed as annexure “C”).



8. *The compliance Report is submitted please, however, order or direction passed by the Hon'ble High Court shall be meticulously abided."*

8. The compliance report would clearly indicate that judgment-debtor, namely, Dinesh Sehgal has already been formally arrested on 10.08.2025. He, however, is taking medical aid in Fortis Escorts Hospital.

9. In pursuance to the directions to constitute the medical board, the report has also been received from AIIMS. The said report dated 07.08.2025 is extracted as under:-

"The meeting of the medical board was held on Wednesday, 06th August 2025 at 02:00 P.M. in Consultation Room No. 13, M.S. Office Wing, Ground Floor, AIIMS, New Delhi. All members were present.

Mr Dinesh Sehgal, a known case of hypertension and type 2 diabetes, was admitted following intentional ingestion of multiple antihypertensive and oral hypoglycemic tablets in a suicide attempt. He is currently hospitalized at Fortis Escorts, where he initially required critical care support and is now being managed in the ward.

The patient was brought by Investigating Officer of the case A.S.I. Bedi Ram along with Dr A Josephine Leshiini, S.R. Emergency Medicine, Fortis Escorts Hospital.

The patient is conscious, oriented, and cooperative. On general examination his vitals are:-

- Heart rate-82/min., regular*
- B.P- 138/56mmHg,*
- SpO₂ was 85% on room air, improved to 93-94% with 2 liters per minute of oxygen*
- RR- 24/ min*

On mental status examination, the patient expressed sadness of mood and suicidal ideations.

Patient requires low flow oxygen supplementation via nasal prongs, to maintain acceptable oxygen saturation and desaturates on removing oxygen.



On local examination of left groin wound, it was found healthy with sutures in situ. The suction drain is draining serous fluid.

The renal function is improving, and the patient is hemodynamically stable.

The medical board is of the opinion that the patient requires hospitalization at present for oxygen support and psychiatric management.”

10. A perusal of the record would indicate that the renal function of the judgment-debtor is improving and he is hemodynamically stable. The medical board has opined that the patient requires hospitalization at present for oxygen support and psychiatric management. It has come on record that JD was initially required critical care support and is presently being managed in the ward. He is conscious, oriented and co-operative.

11. Under the aforesaid circumstances, the Court finds that the necessary medical assistance can be suitably extended to the judgment-debtor under the supervision of the jail authorities.

12. Since, the judgment-debtor has already been formally arrested, let he be shifted to concerned Tihar Jail and on examination of his medical condition, is necessary, he be shifted to an appropriate hospital, where the necessary medical facility can be provided to him.

13. Mr.Aditya Wadhwa, learned counsel for the judgment-debtor has also certain other objections.

14. The said objections shall be considered, once the aforesaid directions are complied with.

15. So far as the submission of Mr Abhijat, learned senior counsel for the decree-holder as to whether the period of six months will have to be reckoned from the date of arrest i.e. 10.08.2025 or from the date when he



has been shifted to Tihar Jail is concerned, shall also be considered on the next date of hearing.

16. Let the matter be listed for reporting compliance on 21.08.2025.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 12, 2025

Nc/sph