



\$~24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 451/2020 & CrI.M.(Bail) 317/2025**

JAIDEEP SINGH SENGHER@ATUL SINGHAppellant

Through: Mr. Pramod Kumar Dubey, Sr.
Advocate with Mr. SPM
Tripathi, Mr. Hemant Shah, Mr.
Satyam Sharma, Mr. Saurabh
Pal, Mr. Yash Saxena, Mr.
Samarth Kasana Panwar, Mr.
Saurav Rajput, Mr. Aswariya
Singh, Advocates.

versus

CBI

.....Respondent

Through: Mrs. Anubha Bhardwaj, SPP
with Ms. Ananya Shamshery,
Ms. Anchal Kashyap,
Mr. Mayank Bawa, Ms. Riddhi
Grover and Mr. Vijay Misra,
Advocates.
Mr. Mehmood Pracha, Mr. Jatin
Bhatt and Mr. Kshitij Singh,
Advocates for the
victim/complainant.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

%

24.02.2026

**CRL.M.(BAIL) 284/2026 (EXTENSION OF INTERIM
SUSPENSION OF SENTENCE)**

1. The present application has been filed by the applicant under
Section 389(1) of the Code of Criminal Procedure, 1973 [“Cr.P.C.”]
read with Section 430(1) of the Bhartiya Nagarik Suraksha Sanhita,
2023 [“BNSS”] seeking interim suspension of sentence on medical



ground.

2. The learned counsel for the applicant submits that the applicant is suffering from serious and life-threatening medical conditions, including Stage-IV oral cancer with suspected recurrence, osteoradionecrosis (ORN), trismus, and chronic infection of the jaw. It is submitted that the applicant had earlier undergone surgery for oral cancer at AIIMS in October 2020 and has since been under continuous treatment. In support, learned counsel has drawn our attention to various medical documents of the applicant annexed with the application, including MRI report, AIIMS consultation records, CBCT scan reports, records relating to PENTOCLO therapy and hyperbaric oxygen therapy sessions, CECT scan report, etc.

3. It is submitted that the applicant requires continuous specialized treatment and proper medical care which cannot be adequately provided within prison facilities and hence prays that the present application be allowed.

4. *Per contra*, learned SPP for the respondent/CBI opposes the application and relies upon the Detailed Verification Report dated 20th February, 2026 and submits that upon verification from concerned hospitals and doctors, several prescriptions and medical documents annexed by the applicant, particularly those purportedly issued by Dr. Vikas Katiyar and Dr. Mohd. Faheem Ansari were found not to have been written by the concerned doctors and were declared as fake/fabricated. Furthermore, it was found that the prescription written by Dr. Dhananjay Chaudhary was fake as it pertains to another patient namely Vimla Devi, and not to the current applicant. It is further



submitted that while certain records relating to past treatment were verified as genuine, there is no credible material establishing that the applicant is presently suffering from Stage-IV cancer. The status report filed by the respondent/CBI questions the genuineness of the medical reports filed by the applicant. Learned SPP submits that adequate medical facilities are available within the prison and prays that the application be dismissed.

5. Mr. Pracha, learned counsel for the victim/complainant, states that the medical documents annexed by the applicant have not been verified as genuine. He further submits that despite interim bail not being extended, the applicant did not surrender timely and misused the liberty granted to him. Hence, he prays that the present application be dismissed.

6. This Court has heard learned counsels for the parties and perused the record, including the medical documents relied upon by the applicant and the verification reports submitted by the respondent/CBI questioning the genuineness of several medical documents of the applicant.

7. In matters concerning suspension of sentence on medical grounds, the Court must be guided by reliable and objective medical opinion and documents. In the present case, this Court is of the view that an independent medical assessment by a duly constituted Medical Board is necessary to ascertain the current health condition of the applicant.

8. Accordingly, it is directed that the Director, AIIMS, New Delhi shall constitute a Medical Board to examine the current medical



condition of the applicant. The Medical Board shall conduct a comprehensive evaluation of the applicant and submit a report to this Court, *inter alia*, on the following aspects:

- (i) Whether the applicant is suffering from cancer or any other life-threatening disease, and if so, then at what stage?;
- (ii) Whether the treatment, if any, can be adequately provided to the applicant within the jail hospital or through escorted visits to government hospitals, or not?

9. The Jail Superintendent is directed to produce the applicant before the Medical Board on 26th February, 2026 and ensure that all necessary medical records available with the jail authorities are provided to the Board. The applicant shall also be entitled to produce his prior medical history of treatment at AIIMS.

10. The Medical Board, after detailed examination of the applicant, shall submit its report to this Court on or before the next date.

11. A copy of this order be sent to the concerned Jail Superintendent and Director, AIIMS for necessary information and compliance.

12. Re-notify on 2nd March, 2026.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

FEBRUARY 24, 2026/AK