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

% ***Date of Decision: 14th October, 2026***

\# **CNR No. DLHC010430392026**

\+ BAIL APPLN. 3799/2026

JITESH @ JITU .....Petitioner

Through: Mr. Aditya Aggarwal, Mr. Naveen Panwar, Mohd. Yasir and Ms. Shivani Sharma, Advs.

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Ajay Vikram Singh, APP for the State
Mob: 9868632122
Mr. Dev Chauhan, SI, ANTF, Crime Branch

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. *(Oral):*

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), on behalf of the petitioner, namely, Mr. Jitesh @ Jitu, S/o Late Mr. Ram Chander, seeking interim bail in connection with the First Information Report ("FIR") being *FIR No. 5/2025* dated 05th January, 2025, registered under Sections 21/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act"), at Police Station ("PS") Crime Branch, Delhi, on the basis of humanitarian and medical grounds.

2. The Sessions Case being *SC 217/2025*, instituted in connection with

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FIR No. 5/2025, is pending adjudication before the Special Judge, NDPS, Shahdara District, Karkardooma Court, Delhi, and is at the stage of prosecution evidence.

3. This Court is informed that *vide* order dated 22nd August, 2026, passed by the Special Judge in *I.A. 18/2026* in *SC 217/2025*, the interim bail application of the petitioner herein has been dismissed.

4. Learned counsel appearing for the petitioner submits that the wife of the petitioner, namely, Mrs. Bhawna, aged about 26 years, is suffering from a serious medical ailment, i.e., a surgical site infection arising from *Pilonidal Sinus*.

5. Attention of this Court has been drawn to the medical prescription issued to the wife of the petitioner by the doctor at District MMG Hospital Ghaziabad, Uttar Pradesh, wherein, it is recorded that she is suffering from severe pain in the lower back due to which she is unable to perform her day-to-day work or sit for a prolonged period of time.

6. It is submitted that in view of the prevailing medical condition of the wife of the petitioner, she has been advised to undergo a surgery, which is scheduled for 16th October, 2026, and for which she has to be admitted on the same day.

7. It is, thus, submitted that the presence of the petitioner is of utmost necessity for him to be able to assist his wife during the course of her treatment and surgery, and most importantly, during the post-operative recovery period.

8. In response, learned Additional Public Prosecutor ("APP") for the State has handed over a Status Report dated 13th October, 2026, and the same is taken on record.

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9. He submits that the surgery of the wife of the petitioner is not that serious, so as to warrant the grant of interim bail for thirty (30) days, as prayed for in the present petition.

10. This Court notes that the medical documents of the wife of the petitioner stand verified by the State. It has further been verified that the wife of the petitioner has to undergo a surgery on 16th October, 2026.

11. In view of the medical condition of the wife of the petitioner, her upcoming surgery, and in the interest of justice, the present petition is allowed.

12. The petitioner is granted interim bail for a period of ten (10) days, from the date of his release in connection with *FIR No. 5/2025*, registered under Sections 21/25/29 of the NDPS Act, PS Crime Branch, Delhi, subject to the following conditions:

12.1. The petitioner shall furnish a personal bond in the sum of Rs. 25,000/-, with one surety in the like amount, to the satisfaction of the Trial Court;

12.2. The petitioner shall not indulge in any criminal activity, in any manner whatsoever, during the period of his interim bail;

12.3. The petitioner shall give his residential address to the Investigating Officer ("IO"), and shall not change his residential address without prior intimation to the IO;

12.4. The petitioner shall, upon his release, give his mobile number to the concerned Jail Superintendent and shall keep his mobile phone switched on at all times. The mobile number shall not be changed, nor shall the mobile phone be switched off, without prior intimation to the concerned Jail Superintendent;

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12.5. The petitioner 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;

12.6. The petitioner shall not leave the National Capital Territory ("NCT") of Delhi without prior permission of the concerned Jail Superintendent and shall ordinarily reside at his address as per the prison records;

12.7. Upon expiry of the period of ten (10) days from the date of his release on interim bail, the petitioner shall surrender before the concerned Jail Superintendent on or before 04:00 PM on the said date;

12.8. In the event the surgery of the wife of the petitioner does not take place on or before 16th October, 2026, for any reason, he will surrender on 17th October, 2026, by 04:00 PM;

12.9. The medical documents relating to the surgery of wife of the petitioner will be furnished by him to the concerned Jail Superintendent at the time of his surrender.

13. The present petition is allowed and disposed of, in the aforesaid terms.

14. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

15. Order *dasti* under the signature of the Court Master.

MINI PUSHKARNA, J

OCTOBER 14, 2026/SK

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