

ITEM NO.5

COURT NO.11

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 13178/2024

[Arising out of impugned final judgment and order dated 28-05-2024 in CRLA No. 623/2023 passed by the High Court of Delhi at New Delhi]

ABUBACKER E.

Petitioner(s)

VERSUS

NATIONAL INVESTIGATION AGENCY

Respondent(s)

Date : 12-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Ms. Kamini Jaiswal, Adv.
Ms. Rani Mishra, Adv.
Mr. Adit S Pujari, Adv.
Mr. A. Nowfal, Adv.
Mr. Abdul Shukoor, Adv.
Mr. Shereef Ka, Adv.
Mr. Sheikh Maulali Basha, Adv.
Mr. D. Kumanan, AOR

For Respondent(s) Mr. Tushar Mehta, Ld. SG
Mr. Kanu Agarwal, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Samrat Goswami, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. Mukesh Kumar Maroria, AOR

UPON hearing the counsel the Court made the following
O R D E R

We have heard the learned counsel appearing for the petitioner and learned Solicitor General of India appearing for the respondent.

We had issued a limited notice only for considering bail for limited time on medical grounds

for the urgent treatment of the petitioner. It is stated that the petitioner is suffering from (i) Gastro-Esophageal Junction Adeno-Carcinoma (ii) Parkinson's Disease/Dementia, (iii) Diabetes Type-II (iv) Hypertension and (v) Retinopathy.

While learned counsel appearing for the petitioner submits that the petitioner is ready and willing for being tested and to cooperate with the further treatment, provided his son Thalal Hasoon is permitted to assist him in view of his ailments, learned Solicitor General, placing reliance on the counter affidavit, states that despite him being taken to the AIIMS, New Delhi on several occasions, no such cooperation is forthcoming.

We will not go into the said issues, as we are concerned with the need for the petitioner to receive urgent medical treatment.

We request the Director of AIIMS, New Delhi to constitute a team for a thorough examination of the petitioner by admitting him as an in-patient. The said examination shall cover all ailments stated to be suffered by him. Needless to state that the petitioner shall be accompanied by an escort and for the petitioner's own assistance, his son, Thalal Hasoon will also be permitted to accompany him.

The petitioner shall be taken to the AIIMS, New Delhi within a period of two days from today and a

detailed examination will have to be conducted on him as an in-patient after admission, within a further period of four days thereafter, as afore-stated.

A report is to be filed by the Director, AIIMS, New Delhi after the completion of the said examination within a period of three days thereafter.

List the matter on 29th November, 2024.

In the meantime, learned counsel for the petitioner may file rejoinder affidavit.

We hope and trust that the petitioner shall extend all cooperation for the aforesaid purpose.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)