

IA 19/23 (Salman)

CNR No. DLNE01-000303-2021

SC No. 13/21

State v. Salman

FIR No. 54/20

PS Karawal Nagar

16.06.2023 (At 11:15AM)

Present: **Sh. Madhukar Pandey**, Id. Special PP for State along with IO/Insp. Alok Kumar.
Sh. A.A. Khan, Id. counsel for applicant/accused Salman.

Three separate letters were received from IHBAS dated 12.06.2023, 15.06.2023 and 16.06.2023 respectively. Along with the letter dated 16.06.2023, evaluation report from medical board has been sent. It is mentioned in the evaluation report of accused Salman Malik that it is a case of Paranoid Schizophrenia in remission. It is further reported that at present there is no active psychotic symptoms. Accused is reportedly having complaint of sleep disturbances and occasional irritability. The accused is on treatment from jail psychiatrist and it is offered that his treatment can be reviewed by IHBAS, provide his treatment papers are made available by the jail authorities. It has been concluded by the board that based on current assessment, this accused is fit to stand trial.

Ld. counsel for applicant/accused submitted that accused may be granted interim bail for a month for his treatment. Ld. SPP opposed the application submitting that applicant is already undergoing treatment and there cannot be any point of such wishes/demands.

To me grant of interim bail is an exceptional remedy. It is not to be granted in routine manner on any ground being

raised by the applicant. Applicant herein is also undergoing treatment. His evaluation report suggests that there is no case of serious condition of the disease at present and same is stated to be in remission. Therefore, I do not find any ground being made out for interim bail for treatment of the applicant.

At the same time, taking view of better interest and welfare of the applicant, jail superintendent is directed to present the applicant in IHBAS OPD along with his complete treatment record, for the purpose of review of current treatment being given to the applicant.

Application for interim bail is rejected. Copy of the same be given dasti to the Id. Counsel. A copy of this order be sent to jail superintendent concerned for compliance in respect of directions given to him, under intimation to this court.

(PULASTYA PRAMACHALA)
Vacation Judge/ASJ-03(NE)/KKD
Courts/Delhi/16.06.2023