

CNR No.DLCT01-018221-2021

SC No.466/2021

FIR No.30/2021

PS Daryaganj

U/s 364-A/377/419/347/120-B IPC & 25/27 Arms Act

State Vs. Swapnil & Ors.

06/05/2022

File taken up today on the application u/s. 439 Cr.P.C. of the accused Swapnil for grant of interim bail for the period of three months.

Present: Sh. Virender Singh, Ld. Substitute Addl. PP for the State.
Sh. Chetan Pangasa, Ld. Counsel for the accused Swapnil.
Dr. Purshottam, Medical Officer, CJ-3, Tihar, New Delhi (through V.C.).
Dr. Prashant Lakhe, Neurosurgery Department, G.B.Pant Hospital, New Delhi (through V.C.).

This Court is looking after the work of Ld. Link Court also.

Regular Assistant Ahlmad is on maternity leave.

Reply/ report received from the Deputy Superintendent and Medical Officer In-charge, Central Jail No.3, Tihar, New Delhi.

It is submitted by Dr. Prashant Lakhe that fresh medical examination of the accused Swapnil is required for the purpose of filing the appropriate report regarding medical condition and treatment of accused. It is further submitted that the accused may be examined tomorrow in the Ward No.4, A-Block, First Floor, G.B.Pant Hospital, New Delhi and jail authorities be also directed to send all medical documents including the MRI film and report of the accused Swapnil.

The concerned Jail Superintendent is directed to produce the accused Swapnil on **07/05/2022 at 10:00 AM** at Ward No.4, A-Block, First Floor, G.B.Pant Hospital, New Delhi alongwith all medical documents including the MRI film and report of the accused.

Dr. Prashant Lakhe is directed to file detailed report regarding medical condition and treatment of accused Swapnil positively on or before the next date of hearing.

It is submitted by counsel for the accused that as per medical advice, accused required physiotherapy two times in a day but the accused still has not been provided physiotherapy on regular basis and medical condition of the accused is deteriorating day-by-day

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and left side power is also decreasing and aforesaid report is not complete and further/ appropriate report in this regard be called from the Jail Authorities and Medical Officer In-charge.

Issue fresh notice to the concerned Jail Superintendent and Medical Officer In-charge with direction to file appropriate report regarding medical condition, treatment of the accused and schedule of physiotherapy given to the accused and also directed to file appropriate report as to whether regular physiotherapy has been given to the accused or not, on or before the next date of hearing. They are also directed to file as to how many times in a day physiotherapy of the accused is required/ advised and how many times in a day physiotherapy is given to the accused.

At request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on **10/05/2022 at 12:30 PM.** Date of 10/05/2022 is given at the specific request and convenience of counsel for the accused.

Meanwhile, Jail Authorities are directed to provide the requisite/ necessary/ immediate medical treatment to the accused, as per his medical condition on priority basis. Jail Authorities are also directed to give the physiotherapy to the accused on regular basis, if advised by the concerned Doctor. Jail Authorities are also directed to get the accused admitted in the Hospital inside the jail or outside the jail referral/ Govt. Hospitals on priority basis, if required, as per rules. In case, surgery of the accused is required/ planned, the Jail Authorities are directed to make necessary arrangements for the same on priority basis. Jail Authorities are also directed to provide appropriate/ requisite diet to the accused as per his medical condition.

Copy of this order be sent to the concerned Jail Superintendent and Medical Officer In-charge and Dr. Prashant Lakhe, Neurosurgery Department, G.B. Pant Hospital, New Delhi for information and compliance.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
06/05/2022(G)