

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.

13/05/2022

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: Ms. Nimmi Sisodia, Ld. Substitute Addl. PP for the State.
Sh. Chetan Pangasa, Ld. Counsel for the accused Swapnil.
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 Addl. PP for the State is on leave today.

Regular Assistant Ahlmad is on maternity leave.

It is submitted by Dr. Prashant Lakhe that he has prescribed certain medical tests of the accused Swapnil but accused has not come for his medical examination and tests on 12/05/2022.

Reply/ report received from the Deputy Superintendent and Medical Officer In-charge, Central Jail No.3, Tihar, New Delhi. It is mentioned in the report of Medical Officer In-charge that inmate patient was again planned for outside OPD at G.B. Pant Hospital on 12/05/2022 for neurological opinion but the accused was non-compliant.

It is submitted by counsel for the accused that accused was always ready for his medical examination and tests and the aforesaid report that the accused was non compliant is not correct. It is further submitted that accused is still ready for the medical examination and tests at G.B. Pant Hospital and appropriate direction may be given for the same.

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 and left side power is also decreasing and aforesaid report is not complete and further/ appropriate report in this regard be called from Dr. Prashant Lakhe, Jail Authorities and Medical Officer In-charge. It is further submitted that appropriate directions be also given for speedy medical treatment of the accused.

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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. They are also directed to file photocopies of latest prescription/ medical record of the accused on or before the next date of hearing.

At request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 21/05/2022. Date of 21/05/2022 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. Jail Authorities are also directed to take appropriate steps for medical examination and tests of the accused at G.B. Pant Hospital, New Delhi at the earliest.

The concerned Medical Superintendent, G.B. Pant Hospital, New Delhi is also directed to expedite the medical treatment and tests of the accused Swapnil.

Copy of this order be sent to the concerned Jail Superintendent and Medical Officer In-charge, Dr. Prashant Lakhe, Neurosurgery Department, G.B. Pant Hospital, New Delhi and concerned Medical Superintendent, 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
13/05/2022(G)