

CNR No.DLCT01-018221-0021

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.

06/10/2022

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

Present: Sh. Gyan Prakash Ray, Ld. Addl. PP for the State.

Sh. Chetan Pangasa, Ld. Counsel for the accused.

Inspector Ichha Ram is present and filed reply of the aforesaid application for extension of interim bail along with report/reply dated 06/10/2022 of Dr. Swapan Gupta, Associate Professor, Department of Neurology, G. B. Pant Hospital, New Delhi.

It is submitted by counsel for the accused that vide order dated 05/08/2022, interim bail for the period of one month was granted to the accused Swapnil and vide order dated 05/09/2022, interim bail of the accused was extended for the further period of one month and vide order dated 01/10/2022, interim bail of the accused was extended till today. It is further submitted that medical condition of the accused is still critical and he is under treatment. It is further submitted that the accused Swapnil has been examined by Dr. Swapan Gupta today and doctor has recommended to constitute a Medical Board and constitution of Medical Board will take considerable time and in view of the same, interim bail of the accused be extended till the next date of hearing.

It is mention in the aforesaid report of Dr. Swapan Gupta that “ *it is submitted that Patient Swapnil S/o Lal Kishori examined on 06.10.2022. It is stated that the patient has complete paraplegia with complete loss of sensation to all the modalities below D8 level with bladder and bowel incontinence. MRI dorsal spine dated 23.09.2022 suggestive of mild dilation of central canal in dorsal cord at the level of D7 vertebral body, however there is no obvious cord swelling or edema is seen. The clinical findings do not match with MRI findings and hence it is recommended to constitute a medical board with two more neurologist for opinion in respect of medical condition, treatment and further course of treatment.*”

Heard. Perused. Vide order dated 05/08/2022 passed by this Court, interim bail for the period of one month was granted to the accused Swapnil and vide order dated 05/09/2022, interim bail of the accused was extended for the further period of one month and vide order dated 01/10/2022, interim bail of the accused was extended till today. Considering the facts, circumstances and submissions made, interim bail of the accused Swapnil is extended till the next date of hearing i.e. 13/10/2022 subject to the same terms and conditions as imposed vide aforesaid interim bail orders of the accused Swapnil passed by this Court on 05/08/2022 and 05/09/2022.

SHO/ IO is directed to file appropriate report in respect of medical condition, treatment and future course of treatment and also directed to file appropriate report as to whether the accused Swapnil has misused the terms and conditions of the interim bail or not, on or before the next date of hearing.

In view of the aforesaid reply/report of Dr. Swapan Gupta, the Medical Superintendent, G. B. Pant Hospital, New Delhi is directed to constitute Medical Board at the earliest and file appropriate report in respect of medical condition, treatment and future course of treatment of the accused Swapnil on or before the next date of hearing.

At request of counsel for the accused, the aforesaid interim bail application of the accused be put up for consideration on **13/10/2022**. Date of 13/10/2022 is given at specific request and convenience of counsel for the accused.

Copy of this order be sent to the Medical Superintendent, G. B. Pant Hospital, New Delhi and concerned Jail Superintendent for information and necessary action. Copy of order be also sent to the concerned SHO/IO for compliance. Copy of this order be given dasti to counsel for the accused, if prayed for.

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

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
06/10/2022(A)