

State Vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 748/2021

FIR No. 30/21

P.S Darya Ganj

23.01.2024

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Lakshay Dhillon, Ld. Proxy Counsel for Mr.
Mukesh Kalia, Ld. Counsel for accused, namely,
Swapnil.

The matter is passed-over as no reply has been received from the concerned Jail Superintendent. Further no officer from the jail is present at this stage.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
23.01.2024

It is 02.20 p.m.

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Chetan Pangasa, Ld. Counsel for
applicant/accused, namely, Swapnil.
Mr. Vikas Dagar, Asst. Superintendent, CJ-01, Tihar,
New Delhi.

Pursuant to the order passed on the last date of hearing, reply has been received from Superintendent, CJ-01, Tihar, New Delhi wherein it has been stated, as under:

*“...In this regard it is submitted that as per Delhi Prison Rules 2018, **Rule No. 571** under the chapter **Appointment of attendants and Training of Nursing Orderlies**, it is stated that:-*

“For the purpose of attending to sick prisoner a few educated convicts of good conduct and undergoing long sentences shall be selected by the Superintendents in consultation

Contd...2/-

with the Medical Officer In-charge and trained as nursing orderlies. A brief syllabus for their training shall be prepared as guide to the Medical Officer who, under the direction of the Medical Officer In-charge, shall be responsible for conducting such training.”

It is further submitted that any convict may be appointed to take care of the accused as an attendant on daily basis as per Delhi Prison Rules 2018.”

Mr. Vikas Dagar, Asst. Superintendent, CJ-01, Tihar, New Delhi, who has entered appearance on behalf of Superintendent, CJ-01, Tihar, New Delhi, in compliance of the order passed on 19.01.2024 has reiterated the aforesaid facts and stated that an attendant can be made available on daily basis for the applicant/accused as per the aforesaid rules.

Further as per Mr. Vikas Dagar, Asst. Superintendent, CJ-01, Tihar, New Delhi, the family members may be permitted as attendant to take care of the applicant in case of the applicant's/accused's reference to a hospital or medical facility, outside the jail if the patient is transferred to such facility by the jail, subject to the order/specific permission granted by the concerned Court at relevant point of time.

At this stage, arguments have been addressed by the Ld. Addl. PP for the State as well as the Ld. Counsel for the applicant/accused.

List for orders at **at 05.00 p.m.**

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
23.01.2024

It is 05.00 p.m.

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.

Vide separate order, application for extension of interim bail of the applicant/accused, namely, Swapnil is hereby ***dismissed.***

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
23.01.2024