

**S.C. No. 7256/2016 (Old No. 03A/14)**  
**DRI vs. Anil Kumar & Ors.**

02.01.2017

Present :- Ms. Mala Sharma, Ld. Special PP for DRI.  
Accused Anil Kumar in JC with counsel Sh. Kamal J.S. Mann.  
Accused Manu Khosla in JC with counsel Sh. V.K. Tandon.  
Accused Amit Kumar Singh in JC with counsels Sh. S.S. Das and Sh. Babu Lal.

PW3 Sh. Diwakar Joshi, SIO is present. However, he has not been examined today as the learned Special Public Prosecutor submits that the case property could not be produced today.

Let the matter be listed for further examination of PW3 Sh. Diwakar Joshi qua the exhibition of case property for **20.01.2017.**

In this matter, the accused Manu Khosla has made a complaint stating that he is not being produced at AIIMS Hospital for required regular medical treatment. In this context, report was sought from the Superintendent, Central Jail No. 1, Tihar. The report was not found satisfactory. The report puts blame on DCP (Third Battalion) for not producing the accused/UTP Manu Khusla in AIIMS Hospital on 25.10.16 at 7 AM.

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The DCP (Third Battalion), DAP has sent a report pursuant to the direction of the Court wherein it is mentioned that for 25.10.2016, the required guards were deployed for escorting/transporting the UTP Manu Khosla, but despite number of requests to the Superintendent, Central Jail no.1, the Ambulance was not sent for escorting/transporting the UTP Manu Khosla. Both the agencies responsible to take the UTP Manu Khosla for medical treatment are putting blame on each other.

The DGP (Prison) was directed to conduct an enquiry vide order dated 05.12.2016. However, the DGP (Prison) has not sent any response. Let a notice be sent to DGP (Prison) as to why the direction was not complied with. A copy of the order dated 05.12.2016 and a copy of the Report submitted by DCP (Third Battalion), DAP be sent to DGP (Prison) with direction to appear in the Court with report as directed by the Court vide order dated 05.12.2016.

UTP Manu Khosla has informed that he has been detected with a Tumor which requires an urgent treatment. The Medical Superintendent of Central Jail no. 8/9 is directed to submit the photocopy of entire medical record of the UTP Manu Khosla

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and the present medical status of the UTP Manu Khosla on or before the next date of hearing.

The Superintendent, Central Jail No. 8/9 and Medical Superintendent, Central Jail, Tihar are directed to provide all necessary and required medical treatment to UTP Manu Khosla. The Superintendent, Central Jail and DCP, III Battalion are directed to ensure that all necessary arrangements are made to produce UTP at AIIMS Hospital or another hospital at the appointed time.

Copy of order be sent to them.

Put up on **20.01.2017**.

(A.K. Kuhar)  
Special Judge (NDPS)/ASJ  
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At this stage, separate Reports from the Superintendent of Jail No. 8/9 and from the DGP (Prison) have been received. The case has already been adjourned. The same be taken on record and put up for consideration and appropriate directions on the date fixed.

(A.K. Kuhar)  
Special Judge (NDPS)/ASJ  
South District/02.01.2017

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