

JO Code No. WB00885
T. R Case No. 01 of 2023

Order No. 19 dated : 26-02-2024.

The record is put up on the basis of letter being No. 118/DLSA, Howrah dated 23-02-2024, regarding medical condition of accused Md. Shamim Ahmed.

Perused the application as well as other materials on record.

It is manifest from the record that the UTP in question is in custody since 11-01-2023. The Hon'ble Apex Court in Parmanand Katara VS. Union of India, AIR 1989 SC 2039 expounded that the right to life is of utmost importance and it is guaranteed to every individual, even if he has been proven guilty. Further, every person has the right to get medical assistance under Article 21(2). In Rasikbhai Ramsing Rana VS State of Gujrat, 1999, CriLJ 1975, the Hon'ble Apex Court opined that every person should be availed of medical treatment, as it is a basic human right.

Despite the existence of several provisions in the statues and the judgements of the Hon'ble Courts, health care and medical requirement of the petitioners is often neglected.

The Superintendent, Howrah District Correctional Home is directed to render proper medical treatment to the petitioner in the best possible medical facility and submit a comprehensive report regarding his health, on 04-03-2024.

Fix 04-03-2024 for report.

Dictated & Corrected by me

Special Judge,

**Judge, Special Court under
*N.D.P.S Act, Howrah.***