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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 225/2022**

SMT MITHLESH

..... Appellant

Through: Mr. Mukesh Kalia and Ms. Kanika
Vohra, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Laksh Khanna, APP for State.
Inspector Ashwani Kundu and
ASI Rajni Singh, PS: New
Usmanpur.
Mr. Harsh Prabhakar (Amicus
Curaie), Mr. Dhruv Chaudhry and
Mr. Adeeb Ahmad, Advocates of
victim.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

% **29.03.2023**

CRL.M. (BAIL) 457/2023 (Interim suspension of sentence)

The present application has been instituted on behalf of Smt. Mithlesh, the appellant herein, under Section 389 read with Section 482 of the Code of Criminal Procedure, 1973, praying as follows:

“a) Report may kindly be called from the jail authorities with regard to the latest health conditions of the applicant.

b) Kindly suspend the sentence for a period of 3 months imposed on the applicant in case FIR no. 398/06 P.S: NEW USMANPUR U/S 302/307/34/120B IPC R/W 27 ARMS ACT R/W 3 (1)(v) SC/ST (POA) ACT IPC;

c) Pass any other order as the Hon'ble court may deem fit in the interest of justice.”

The application is completely bereft of any details *qua* the indisposition of the appellant.



A perusal of the medical report dated 13.09.2022, made by Superintendent, Central Jail No. 16, Mandoli, Delhi reflects as follows:

- “1. The inmate/ Patient Mithlesh W/O Rambharose is lodged in CJ-16, Mandoli is known case of Hypertension and under treatment.
2. The inmate/patient was referred to GTB Hospital, Ophthalmology department and is advised for cataract surgery which is under process.
3. The inmate/patient is having right side Ischial sore from 15-20 years for which she was referred to GTB Hospital/ Burns and plastic surgery department, where they have prescribed medicine and have called for admission on 26-10-2022 along with prescribed investigation for further management.
4. The inmate/patient complained of Bilateral knee joint pain for which she was shown to visiting senior resident-orthopedic department from GTB Hospital in CJ-16 and was given prescribed medication.
5. The inmate/patient is getting all the medical treatment from jail, whenever required.
6. The inmate/patient is haemodynamically stable at present.”

It would be pertinent to observe that the appellant’s appeal, which is a part of the connected appeals, has already been heard by this Court.

In view of the foregoing, the present application is devoid of any merit and the same is disposed of accordingly.

Copy of this order be uploaded on the website of this Court.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

MARCH 29, 2023/pa

[Click here to check corrigendum, if any](#)