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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.A.658/2019

SMT POONAM alias SWEETY THROUGH

PAROKAR HER SON TARUN

..... Appellant

Through: Mr.Madhav Khurana and Mr.Ankit
Bhatia, Advocates from DHCLSC.

versus

THE STATE

..... Respondent

Through: Mr.Amit Ahlawat, APP for the State.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

O R D E R

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02.06.2020

The hearing has been conducted through Video Conferencing.

CRL.M.B.No.1444/2019

This is an application for regular suspension of the sentence filed by the appellant. However vide order dated 20.08.2019 it was directed to be treated as an application for interim suspension of sentence on the ground the appellant is suffering from Cyst.

Vide order dated 20.05.2020 the latest medical status report as also the nominal roll of the applicant was requisitioned from the Jail Superintendent. A bare perusal of the nominal roll would reveal the appellant has already spent half of her sentence so awarded. Further her medical report as received from the Jail Superintendent speaks as under:

“ She reviewed in Deen Dayal Upadhyay Hospital, Gynaecology Department on 4/10/19, 16/10/19, 30/10/19, 11/11/19, 22/11/19, 25/11/19, 2/12/19, 20/12/19, 27/12/19, 3/1/2020. Her USG Abdomen + Pelvis again done in Deen Dayal Upadhyay Hospital, Radiology Department on 8/1/2020 and it showed Gall bladder Calculus of size 12.7 mm. Uterine Fibroid, and left Ovarian Cyst.

She again reviewed in Deen Dayal Upadhyay Hospital, Gynaecology Department on 8/1/2020, 17/1/2020 and Doctor advised to admit her in Gynaecology Department on 20/1/2020 for Surgery. She was again sent to Deen Dayal Upadhyay Hospital, Gynaecology Department on 20/1/2020 but she did not admit there because of her court date. She again advised to come on 27/1/2020. She again sent to Deen Dayal Upadhyay Hospital, Gynaecology Department on

27/1/2020 and she refused admission for surgery as she wants her surgery to be done from Private Hospital.

Patient complaint of lower abdominal pain and yellowish discoloration of urine. Her urine examination done on 08/05/2020 and report suggestive of Urinary Tract Infection. On 18/05/2020, she reviewed by Jail visiting Medicine SR and complaint of Nausea and abdominal pain. Doctor prescribed her medicines for the same. On 22/05/2020, she also reviewed by Jail visiting Gynecology SR and complaint of Menorrhagia (Excessive Bleeding per vaginum). Doctor prescribed her medicines."

Considering the fact the appellant has already suffered half of her sentence so awarded and that her medical condition requires surgery, the applicant is hereby granted interim bail for three months from the date of her release on her executing a personal bond of Rs.20,000/- to the satisfaction of the Jail Superintendent/Duty MM. The surety of the like amount shall be furnished by the petitioner within a week of the learned Trial Court resuming its normal functioning. However, if the period of interim bail expire before the learned Trial Court starts/resumes its normal functioning and the applicant surrenders, then there would be no need to furnish the surety before it. The petitioner is also directed to provide her contact number/address to the SHO of police station Vasant Vihar, Delhi as also she shall keep open location application in her mobile at all time.

The application stands disposed of in above terms.

Copy of this order be sent electronically to the learned Trial Court / Jail Superintendent for compliance.

YOGESH KHANNA, J.

JUNE 02, 2020

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