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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 719/2017 and Crl. M.B. No. 1330/2017 and Crl. M.A. Nos.16109-16110/2017

SHIV KUMAR

..... Appellant

Through: Mr. Abhishek & Mr. Udit Mehra,
Advocates.

versus

STATE

..... Respondent

Through: Mr. Rajat Katyal, APP along with SI
Dhananjay Kumar, PS-Tilak Nagar,
for the State.
Ms. Aishwarya Rao, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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03.01.2018

A communication dated 26.12.2017 has been received from the Medical Superintendent, AIIMS stating that the inmate patient Mr. Shiv Kumar did not report to the M.S. Office, AIIMS for his medical examination at AIIMS. However, a communication dated 01.01.2018 has been received from the office of the Senior Medical Officer, Central Jail No.1, Tihar stating that the appellant was reviewed at AIIMS/ Urology Department, where he was examined and prescribed some investigations on 18.12.2017. Again on 28.12.2017, the patient was reviewed in the Endocrinology



Department, and the next appointment had been fixed on 29.01.2018.

We are not satisfied with the status report dated 01.01.2018 filed by the Office of the Senior Medical Officer, Central Jail No.1, Tihar. It was incumbent on the jail authorities to produce the appellant before the Medical Superintendent, AIIMS, and merely producing him in the OPD or in the Neurology Department is not sufficient. We, therefore, direct the Jail Superintendent, Central Jail No.1, Tihar, to positively ensure that the appellant is produced for examination before the Medical Superintendent, AIIMS, within the next two days. The son of the appellant shall be entitled to remain present at the time of examination of the appellant at AIIMS. Further status report be filed by the Medical Superintendent (AIIMS) himself as well as the Jail Superintendent, Central Jail No.1, Tihar, before the next date.

List on 09.01.2018.

A copy of this order be sent to the concerned Jail Superintendent as well as the Medical Superintendant, AIIMS.

Order Dasti under the signature of the Court Master.

VIPIN SANGHI, J

P.S.TEJI, J

JANUARY 03, 2018

B.S. Rohella