

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CRIMINAL M.P.No.17124/2009 in SLP(CRL)NO.....2009

(From the Judgment and Order dated 24.9.09 of the HIGH COURT OF DELHI AT NEW DELHI)

VIDYA SAGAR ANAND.

Appellant (s)

VERSUS

N.C.T. OF DELHI.
(Appln. for exemption from surrendering)

Respondent(s)

Date: 09/10/2009

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
(In chambers)

For Appellant(s)

Mr. Mukul Rohatgi, Sr, Adv.
Mr. U.U. Lalit, Sr. Adv.
Mr. K.K. Tyagi, Adv.
Mr. Iftekar, Adv.
Mr. P. Narasimhan, Adv.Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This is an application filed on behalf of the petitioner seeking exemption from surrendering on health grounds. Learned senior counsel appearing on behalf of the

petitioner made available his latest medical certificate dated 8th October, 2009 issued by the Department of

Nephrology, Sir Ganga Ram Hospital which reads as :-

"This is to certify that Shri Vidya Sagar Anand, 81 yrs. Male s/o Late Shri Sada Nand Anand is a known case of Diabetes mellitus with diabetic nephropathy, chronic kidney disease (acute on chronic kidney disease) with diabetic neuropathy and diabetic retinopathy. He is also a known case of Ca.prostate for last two years. B/L Orchedectomy was done in November, 2007 and is on chemotehrapy. He is also a known case of coronary artery disease. He was admitted in Sir Ganga Ram Hospital, new Delhi on 30/09/09 with anorexia, nausea and worsening of renal functions with S.creat. of 10.9mg%. He was grossly dehydrated a possibility of acute on chronic renal failure was made(cause volume depletion due to poor intake). He was managed

with I/V fluids and supportive therapy. On 5/10/09 he had sudden onset of altered sensorium and myoclonic jerks. He was found to be hypotensive, a diagnosis of septicemia with toxic encephalopathy was made. He was shifted to ICU and he was started on broad spectrum antibiotics and supportive care. He continues to be in encephalopathy and is on parental nutrition.'

It is submitted on behalf of the petitioner that he is 81 years of age and suffering from various diseases and is undergoing chemotherapy.

Having regard to the peculiar facts and circumstances, I am of the opinion that a clear case is made out requiring indulgence of this court to grant exemption from surrendering.

The application is accordingly allowed.

(HEMALATHA MOHAN)
SR. PA.

(AJAY KUMAR SHARMA)
COURT MASTER