

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 709 OF 2015
IN
CRIMINAL APPLICATION NO. 442 OF 2015**

Vicky Ranjeetsingh Oberoi

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Kamran Shaikh I/b Mr. Rajendra Jugraj Rathod for the Applicant

Mr. S. S. Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 26TH AUGUST, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks extension of time to stay at Gurgaon for a period of six weeks. As far as prayer clause (b) is concerned, he does not press the said prayer clause in the present application. It appears that this Court vide order dated 27th July, 2015 permitted the applicant who is an under trial prisoner in NDPS Special Case No. 63 of 2009 to leave Mumbai for Gurgaon on 27th July, 2015. He was also permitted to reside in Gurgaon for a period of four weeks from

28th July, 2015. Learned Counsel for the applicant submits that the applicant pursuant to the said permission granted by this Court has travelled to Gurgaon for his heart surgery and was admitted to a hospital Medanta on 31st July, 2015 and has undergone Bypass surgery. He relied on the certificate which is annexed to the application at page 19. It appears that the applicant was discharged from the Hospital on 19th August, 2015. Learned Counsel for the applicant states that considering that the applicant has undergone Bypass surgery recently, he is not fit to travel. He submits that the applicant also requires further treatment and regular follow ups with the doctor at Gurgaon. According to the learned Counsel, as the applicant has been advised complete bed rest, he seeks extension of time to stay in Gurgaon for a further period of six weeks.

3. The learned A.P.P opposes the prayer of further extension by six weeks. He submits on the instructions of the Officer, who is present in Court that an extension of four weeks may be granted.

4. Perused the medical certificate, which shows that the applicant was admitted on 31st July, 2015 and was discharged on 19th August, 2015.

It appears that the applicant has recently undergone Bypass surgery and would require bed rest.

5. Accordingly, the application is allowed only to the extent that the time is extended by a period of four weeks so as to enable the applicant to continue to reside in Gurgaon for the said period. As far as rest of the conditions stipulated in the order dated 27th July, 2015 will continue to remain the same.

6. The Application is allowed in the above terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.