

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.350/2015

Satish Ramchandra Nirapure and 32 ors. .vs.. State of Maharashtra, through G.P.
Nagpur and 2 others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms Bhatia, Appointed Advocate for petitioners.
Mr. Mirza, A.P.P. for respondent-State.

CORAM : A.B. CHAUDHARI & P.N. DESHMUKH,JJ.
DATE : JULY 22, 2015.

Heard.

Learned counsel for the petitioners submit that the grievance is about corruption in the matter of medical services in the Central Jail, Nagpur in that the bribe is demanded for taking medical care of the prisoners. She invited our attention to the complaint signed by 34 prisoners which we have seen. Upon perusal of the complaint, we find that the allegations made therein are of general nature. Nevertheless, we issued notices in the present matter to find out the correct position on affidavit in response to which the respondents have filed reply on affidavit dated 16.06.2013. We find that there is denial of the general allegations made in the complaint, inter alia, the stand taken by the Medical Officer in checking the patients.

In addition, Mr. Mirza, learned A.P.P. submitted that District Judge, D.I.G. and several other authorities regularly visit the prison to find out such types of activities and, therefore, it is not that there is no checking as alleged. We quote paragraphs 5 to 10 from the reply, which read as under:

“5. It is submitted that the Medical Officers are regularly visiting in these yards and they are providing them necessary treatment.

6. It is submitted that in case of diagnosis is not proper or if the patient is serious, in that case the matter is referred to Chief Medical Officer of the prison or in serious cases the prisoner are referred to the Government Medical College, Nagpur.

7. It is submitted that in the present Letter Petition the petitioners have not stated details regarding negligence to which prisoner. It is submitted that upon complaint of prisoners this respondent has conducted enquiry and found allegations made by them are false.

8. It is submitted that as per Medical record it is found that most of the petitioner/prisoners have already been referred to Government Medical College &

Hospital, Nagpur for except Medical treatment and some prisoners have been referred to prison hospital by the Medical Officer and the Chief Medical Officer of the prison and treatment with the best possible facility provided to prisoners available at the Central Prison, Nagpur. Therefore allegations about improper treatment provided by Medical Officer is baseless. The copy of medical report with referring dates about OPD, prison hospital and Government Medical College, Nagpur enclosed herewith as Annexure R-1.

9. *It is submitted that one Medical Officer is available round the clock in the prison and treating the prisoner in emergency during the night.*

10. *It is submitted that Chief Medical Officer of Central Prison, Nagpur is residing in the prison campus and in case his service is required he is called urgently for treatment of the prisoners. The instant petition being devoid of any merits and substance, it may kindly be rejected.”*

Upon perusal of the above paragraphs, we are stratified that the complaint filed with general

allegations deserves to be filed and consequently, the present writ petition deserves to be disposed of.

In view of above, following order is passed.

ORDER

(i) Criminal Writ Petition No. 350/2015 is not entertained and is disposed of accordingly.

(ii) Fees of Ms Bhatia, learned Appointed Advocate is quantified at Rs.1500/-.

JUDGE

JUDGE