

§-6, 10 & 14

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2854/2015

NAUSHAD

..... Petitioner

Through: Mr.Ashutosh Kaushik & Ms.Manika
Tripathy, Advocates

versus

STATE

..... Respondent

Through: Mr.R.S.Kundu, A.S.C. for the State
with Mr.Vishesh Wadhwa, Advocate

AND

+ W.P.(CRL) 399/2016

NAUSHAD

..... Petitioner

Through: Mr.Ashutosh Kaushik & Ms.Manika
Tripathy, Advocates

versus

STATE (GNCT OF DELHI)

..... Respondent

Through: Ms.Kamna Vohra, A.S.C. for the
State

AND

+ W.P.(CRL) 670/2016

SHAMIM

..... Petitioner

Through: Mr.Biswajit Kumar Patra, Advocate

versus

STATE

..... Respondent

Through: Ms.Nandita Rao, A.S.C. for the State

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

%

11.03.2016

W.P.(CRL) Nos. 2854/2015, 399/2016 & 670/2016

Page 1 of 3

4

CRL.M.A.17964/2015 in W.P.(CRL.) 2854/2015

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(CRL.) No. 399/2016

1. By way of this writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., petitioner is seeking parole.
2. Status report on behalf of the State has been filed.
3. Regarding medical status of the petitioner, Naushad s/o Rafique in W.P.(Crl.)399/2016, report has been sent by Medical Officer In-charge which is to the following effect:-

"The patient is follow-up case of caecal and ascending colon perforation peritonitis followed by exploratory laparotomy with ileostomy with mucus fistula and restoration of gut continuity with regular treatment from Lok Nayak Hospital and jail visiting Medicine-SR as well as doctor of CJ8/9 Dispensary.

On dated 18.09.2015, patient visited to Lok Nayak Hospital in surgery department for restoration of gut continuity the same was done.

On dated 22.09.2015 patient was reviewed in Lok Nayak Hospital for complaint of purulent discharge from wound where needful treatment was given.

The patient is on regular follow up from Lok Nayak Hospital on 20.10.2015, 06.11.2015, 20.11.2015, 24.11.2015, 01.12.2015, 05.01.2016, 12.01.2016, 19.01.2016, 02.02.2016 for the above said complaint where the doctor on duty examined the patient and necessary treatment was advised.

The patient was last reviewed at Lok Nayak Hospital on 08.03.2016 with the complaint of pain abdomen with pus discharged from midline (? Stitch granuloma) for which necessary medication was prescribed and advised for pus culture and to review with after report.

At present patient-inmate requires regular medical intervention and follows up."

5

4. Considering the facts and circumstances of the case and medical condition of the petitioner, which fact has been duly verified by the State, the prayer for grant of parole is allowed to the extent that the Petitioner is granted parole for a period of four weeks from the date of his release, on his furnishing personal bond in the sum of ₹10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent.

5. It is, however, made clear that on expiry of the parole period, the Petitioner shall surrender before the concerned Jail Superintendent, who shall submit the surrender report to this Court.

6. Writ Petition stands allowed in the above terms.

7. The Petitioner be informed through the Jail Superintendent about the order passed.

Order dasti.

W.P.(CRL.) Nos.2854/2015 & 670/2016

1. In view of the serious medical condition of the petitioner, Naushad S/o Rafique in W.P.(Crl.)399/2016, it is submitted by the learned counsel for the co-convicts/petitioners that presently the prayer for the petitioner, Naushad S/o Rafique in W.P.(Crl.) 399/2016 may be considered and after his surrender their prayer may be considered.

2. In view of the above, list these writ petitions on 6th April, 2016.


PRATIBHA RANI, J.

MARCH 11, 2016

'pg'

— Fresh Cr.M.A. 6735/16 for
Extension of Parole.

W.P.(CRL.) Nos. 2854/2015, 399/2016 & 670/2016

Page 3 of 3

— Fresh Cr.M.A. 6740/16 for
Extension.

— Disposed off Case.