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

+ **W.P.(CRL) 2938/2016**

NARESH PAL

..... Petitioner

Through: Mr. Ashutosh Kumar, Advocate

versus

STATE (GNCT OF DELHI)

..... Respondent

Through: Ms. Kamna Vohra, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
27.10.2016

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The nominal roll as well as the report from the office of the Senior Medical Officer, Central Jail, Tihar, has been received. It is seen from the nominal roll that the petitioner has availed of the last parole between 16.03.2015 to 16.04.2015. His last furlough was for the period 19.07.2016 to 02.08.2016. The MRI report of the petitioner, dated 09.09.2016, is suggestive of infective tubercular spine (Pott's Spine). The petitioner was admitted to the Central Jail Hospital up to 21.09.2016. The petitioner is accordingly undergoing ATT. He is getting medical diet as recommended for such patients. He has been examined by the jail Visiting Ortho S.R. (DDU Hospital) on 13.10.2016 and has been advised necessary treatment and hard bed rest. His condition is stated to be stable and he is undergoing

treatment as advised.

Learned counsel for the petitioner has also submitted that the petitioner needs to use a western toilet. The jail superintendent shall ensure that the petitioner is provided such facility in the jail.

Learned counsel for the petitioner submits that the petitioner is wheel chair bound and cannot move on his own. He needs assistance to do so. Unfortunately, these facts are not borne out from the medical report. Counsel for the petitioner states that the petitioner would also like to get second opinion from a private hospital. In case an appointment is fixed at a private hospital for examination of the petitioner, he shall be produced in custody at the relevant hospital for examination. However, I am not inclined to grant parole at this stage to the petitioner considering that he has already availed of two furloughs between 07.03.2016 to 28.03.2016 and again between 19.07.2016 to 02.08.2016 in this year and a period of six months has not been expired since the last date of surrender.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

OCTOBER 27, 2016

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