

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 64 OF 2017

Sajid Yusuf Electricwala

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

* * * * *

Mr. Sartaj Shaikh, Advocate for the applicant.

Mr. S.R. Agarkar, APP for respondent, State.

CORAM :- SMT. R.P. SONDURBALDOTA, J.

DATED :- 15th FEBRUARY, 2017.

P.C. :-

1). This application is directed against the order dated 28th September, 2016 by which the Special Judge, NDPS, Mumbai has rejected the application by the petitioner at Exhibit-5 for allowing him to have “a particular home food”. In his application, the petitioner had claimed that because he is suffering from hypertension with epilepsy (seizure disorder) with renal calculi associated with bleeding per urethra. He has been advised “a particular home food” by the Doctors as and when he is being taken by the police to J.J. Hospital. The application does not specify

“particular home food”. The Sessions Court, while rejecting the application observed that, nothing is placed on record to show that he is being required to take home food as per the medical advice. The order, further takes note of the reply filed by the Jail Authorities, stating that the prisoners are permitted to purchase dry fruits, fruits and other commodities from the canteen and the food is provided as per the advice of the Medical Officer. Mr. Agarkar, the learned APP produces report dated 3rd February, 2017 of the Chief Medical Officer, Mumbai Central Prison, Mumbai stating that the applicant is advised high fibre diet, plenty of oral fluids, avoid oily food and is provided with eggs, bread, milk and green salad regularly. The report also states that, he is being given regular medication and follow-up in J.J. Hospital. In the circumstances, there is no infirmity in the impugned order. Hence, the application is dismissed.

(SMT. R.P. SONDURBALDOTA, J.)