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

+ **W.P.(CRL) 593/2017**

NARESH KHAPRA

..... Petitioner

Through: Mr. Harish Kohli and Mr. Rohit
Singh, Adv.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Ms. Richa Kapoor, ASC with Ms.
Mallika Parmar, Mr. Ashish Negi and
Ms. Seema Patnaha, Adv. with SI
Nitin, PS Punjabi Bagh

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

21.03.2017

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The status report filed has been perused. The status report shows that on 11.01.2017, the MRI machine at GB Pant Hospital was not working. However, on the basis of an administrative order passed by the said hospital, ten patients whose MRI were to be done, were being sent to LNJP Hospital. It is pointed out that had the petitioner reported at GB Pant Hospital on 11.01.2017, he would have been taken to LNJP Hospital for conduct of his MRI. However, the petitioner did not appear before the concerned authorities at GB Pant Hospital.

Along with the report, the Medical Officer, Central Jail No.4 has filed his report dated 18.03.2017. As per the report, the condition of the petitioner has improved. It is a known case of L4-L5 pott's spine.

It appears from the record that the petitioner has been claiming relief on the ground that he has to undergo spine surgery since 2014. In this regard, attention has been drawn to the order dated 21.02.2014 passed in CrI A No.1141/2013. However, till date the petitioner's surgery has not been undertaken. The record shows that the petitioner is out of prison since December 2016 either on parole or furlough. In these circumstances, I am not inclined to extend the parole of the petitioner at this stage. The petitioner is directed to surrender upon the expiry of parole presently granted to him on the due date.

However, once the petitioner had surrendered, he may be got examined at AIIMS to obtain a definite opinion with regard to his medical condition and whether he requires any surgery and if so, when.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

MARCH 21, 2017

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