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

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W.P.(CRL.) 2195/2017

COURT ON ITS OWN MOTION

...Petitioner

Through: Mr. Varun Goswami, Amicus Curiae
along with Mr Rahul Sinha and Mr Sahil
Aggarwal, Advocates

versus

STATE

...Respondent

Through: Mr. Rahul Mehra, Standing Counsel
Mr. Sanjay Jain, ASG with Anurag Ahluwalia,
CGSC with Mr. Charitarh Bhastie, Advocate for
UOI.

Mr. Praveen Khattar, Advocate for Respondent
No.4 along with Mr. L.D.S. Uppal, Asstt. Secy.,
DMC.

Mr. Tanoodbhav Singh Dev, Mr Tarun Verma and
Ms Puja Sarkar, Advocates for MCI.

Ms Kusum Dhalla, APP for State with SI Vikash
Yadav PS Dwarka North (SWD) and Insp. Naresh
Sangwan, SHO PS Nazafgarh, Delhi

Ms. Ritwika Nanda, Advocate for Venkateshwar
Hospital

Mr Fanish K. Rai and Mr Abinash Kumar,
Advocates for Tarak Hospital

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE I.S. MEHTA

ORDER

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02.11.2017

1. Shri Varun Goswami, learned *amicus curiae*, referred to the minutes
dated 21st September, 2017 prepared by him after holding a meeting with

Smt. Neha Verma, wife of the deceased Shri Mayank Verma on 14th September, 2017. The minutes reflect the stand of Smt. Neha Verma that the doctors at Tarak Hospital did not promptly attend to Shri Mayank Verma and delayed referring him to AIIMS. Her further version was that instead of shifting him to AIIMS, the ambulance took him to Venkateshwar Hospital. She has stated that although Venkateshwar Hospital has started the treatment of the deceased without asking for any money, after the death, the family members had to clear a bill of Rs.1 lakh for discharge of the body of the deceased from the mortuary. Mr Goswami is candid that when Smt. Neha Verma was asked if she would be prepared to file an affidavit to the above effect, she declined to do so.

2. The Court has also perused the status report filed by Shri Shibesh Singh, IPS, Deputy Commissioner of Police, South West District, New Delhi, which gives a detailed account of the investigations into the events immediately after the firing took place in which ultimately both Shri Mayank Verma and his father Shri Shyam Singh lost their lives. *Inter alia*, the status report states that the cardiac ambulance which was called for by the Tarak Hospital authorities had to cover a considerable distance from RML Hospital to Uttam Nagar where Tarak Hospital situated and this took more than half an hour. The CDR collected by the police confirms this.

3. As far as the Venkateshwar Hospital is concerned, the status report states that no foul play on the part of the staff therein about harassing the family members was found except that they had asked that a considerable amount be deposited for providing treatment. The CCTV footage showed that the

Venkateshwar hospital staff acted swiftly in giving medical treatment as soon as Shri Mayank Verma was brought there in a cardiac ambulance. It further appears that a relative of Smt. Neha Verma, Sahil Verma was also enquired by the police and he denied telling the TV reporter that the treatment of Shri Mayank Verma was compromised due to police harassment and apathy of the hospital concerned. The status report notes that none of the family members of Shri Mayank Verma has made any complaint to police regarding the hospitals not providing adequate treatment. This is consistent with the submission of Shri Varun Goswami that Smt. Neha Verma declined to file any affidavit against either of the hospitals.

4. In that view of the matter, the Court does not consider it necessary to examine this aspect of the matter any further.

5. As far as the investigation of the case is concerned, the Court is informed that a charge-sheet has been filed. The Court expects the learned Trial Court to proceed in the matter expeditiously.

6. As far as providing security to Smt. Neha Verma is concerned, Shri Goswami informs the Court that at present Smt. Neha Verma is staying at a rented accommodation near her mother's house at Uttam Nagar. Ms Kusum Dhalla, learned APP for the State states that the Court that the order dated 21st September, 2017 regarding providing security to Smt. Neha Verma will continue to be abided by the Respondents even at the present address of Smt. Neha Verma. For this purpose, it is directed that Smt. Neha Verma will provide her present contact details to the SHO as well as to the IO of the case at the earliest.

7. The writ petition is disposed of accordingly.

8.*Dasti* under signatures of the Court Master to the parties.

S. MURALIDHAR, J.

I.S. MEHTA, J.

NOVEMBER 02,2017
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