

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Application (APPP) No.338/2018
in
Criminal Application (BA) No.65/2018

(Deepak Khubchand Bajaj Vs. State of Maharashtra through Anti Corruption Bureau,
Nagpur and another.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri Chinmay Dharmadhikari, Advocate for applicant.
Shri N.B.Jawade, APP for the Non-applicants.

CORAM : S. B. SHUKRE, J.
DATED : AUGUST 13, 2018

Heard.

After hearing at length on several occasions learned Senior Counsel Shri S.P.Dharmadhikari, for the applicant and Shri Jawade, learned APP for the non applicants and also perusing the reports from time to time submitted by the Medical Authorities as well as the Jail Authorities, including the latest report as document 'Y', I am of the view that the health condition of the applicant can be adequately looked after and taken care of by the Jail Authorities and therefore, for the present, I do not find that this application can be allowed on the medical grounds.

Of course, there is a concern expressed by Shri Chinmay Dharmadhikari, learned counsel for the applicant, who is present today, about the absence of opinion of the Jail Authorities regarding the diet to be provided to the applicant.

He points out from the previous report that the Chief Medical Officer of Nagpur Central Prison has said in his previous report, he would give his opinion regarding provision of the diet prescribed by Government Medical College Authorities only after receiving the diet chart provided by the experts there. This concern can also be taken care of for the present by directing Medical Authorities of the Government Medical College to prescribe diet chart so that adequate provision for providing necessary food and dietary supplements can be made by the Jail Authorities. In case any difficulty is experienced by the Jail Authority or even by the applicant in having a proper diet as prescribed by the experts, the applicant or the Jail Authorities would be at liberty to approach this Court for working out the modalities or passing of any other order as may be suited to the situation then prevailing.

In this view of the matter, nothing survives in this application. The applicant be discharged from the Government Medical College and Hospital, Nagpur on 16th August, 2018 and taken to the Central Prison, Nagpur. The application is disposed of accordingly with liberty given to the applicant as well as Jail Authorities in the words mentioned above.

Steno copy be provided to both the sides.

JUDGE