

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1242 OF 2020
IN
CRIMINAL APPEAL NO. 1262 OF 2013

Vilas Dagadu Shinde ... Applicant/Appellant

V/s.

State of Maharashtra ... Respondent

Mr. Aniket Vagal for the applicant/appellant.

Ms. P.P. Shinde-APP for the State/Respondent.

**CORAM : SMT. SADHANA S. JADHAV &
N.J. JAMADAR, JJ.**

DATED : 6th OCTOBER, 2020.

P.C. :

. Heard Mr. Aniket Vagal, the learned counsel for the applicant and Ms. Shinde, the learned APP for the State/Respondent.

2. Pursuant to an order passed by this Court on 15th of September, 2020, the applicant Mr. Vilas Dagadu Shinde was taken to late Krantisingh Nana Patil Civil Hospital at Satara and was examined by Dr. Manoj Kawade from Department of Orthopedics. After necessary tests, the medical officer had prescribed medicines with a rider that if the applicant does not respond to the medicines, he would require consultation by a Neurosurgeon at a higher center.

3. On the previous date, a statement was made on behalf of the applicant that there has been no significant improvement in the medical condition of the applicant. The applicant still suffered from the ailment and was not able to rest his foot on the ground. Ms. Shinde, had then sought time to take instructions. Today, Ms. Shinde, informed that the swelling on the foot is reduced. Ms. Shinde tendered a copy of the communication received from Medical Officer, Kolhapur Central Prison, Kalamba, which is taken on record.

4. We have perused the report of the Superintendent, Kolhapur Central Prison, Kalamba dated 1st October 2020. The Medical Officer had prescribed a course of medicine for seven days. The learned counsel for the applicant, on instructions, has submitted that at Ajinkyatara Multi-specialty Hospital Private Limited, Satara, all specialised treatments are available including Orthopedics and Neurosurgery. The applicant is willing to avail the treatment at his own cost. The condition of the applicant does not appear to be such, that the risk of waiting for a period about one month, as proposed by the prison administration, can be taken. In our view expeditious treatment would be expedient for restoring the health of the applicant.

5. We are thus inclined to permit the applicant to avail requisite medical treatment at Ajinkyatara Multi-specialty Hospital Private Limited, Satara, at his own cost.

6. We thus direct the Superintendent, Kolhapur Central Prison, Kalamba to take the applicant to Ajinkyatara Multi-specialty

Hospital Private Limited, Satara for the necessary treatment along with necessary escort, on or before 10th of October 2020. The applicant shall be kept in proper custody for the period which is required for being treated as an indoor patient at Ajinkyatara Multi-specialty Hospital Private Limited, Satara.

7. Application stands disposed off.

8. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on a digitally signed copy of this order.

(N.J. JAMADAR, J)

(SMT. SADHANA S. JADHAV, J)