

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1618 OF 2019

Mr. Vaasntrao Wamanrao MoreyApplicant

Versus

The State of Maharashtra & Anr.Respondents

Mr. Dhurutiman S. Joshi i/by Mr. Prashant Babole, Advocate for the Applicant.

Mr. S.S. Hulke, APP for the Respondent-State.

Mr. Rajguru, API, Navghar Police Station, Mumbai.

CORAM : SURENDRA P. TAVADE, J.

DATE : 10th JANUARY, 2020

P. C. :

1. Heard learned counsel for the respective parties.
2. As per the directions of this Court by an Order dated 12th December, 2019, the applicant was taken to Kokilaben Hospital, Andheri, Mumbai on 26th December, 2019. On that day, he was examined and asked to produce again on 6th January, 2020 for injunction in the mid back region, but the jail authority did not produce the applicant to the hospital. Learned counsel for the applicant has taken on record letter dated 6th January, 2020 of Dr. Mahesh Menon, who had operated applicant earlier, wherein it is mentioned that the applicant will require overnight hospitalization for observation of his medical condition after the injection. The treatment recommended is a ultrasound guided Chest wall injection of local anesthetic with steroid. For the said treatment, overnight stay of

the applicant is required in the hospital. The applicant was operated in Kokilaben Hospital, Andheri, Mumbai in the month of July and he was taking follow up treatment in the said hospital. Therefore, his admission in the hospital is required for treatment suggested by his treating Dr. Mahesh Menon.

3. Learned counsel for the applicant further submits that Dr. Mahesh Menon is available on Monday i.e. on 13th January, 2020, hence, the applicant can be admitted in the hospital around 3.00 p.m. on Monday i.e. on 13th January, 2020, so that overnight treatment can be given to him.

4. In view of the aforesaid facts, the Jail Authority, Thane is directed to take the applicant to Kokilaben Hospital, Andheri, Mumbai on 13th January, 2020 at 3.00 p.m. and provide police escort during his admission in the said hospital. On 14th January, 2020 after discharge from the hospital, the applicant be taken to jail again. The applicant is directed to bear all expenses of treatment as well as escort charges. One family member is permitted to accompany the applicant in the hospital with permission of the hospital authority.

5. Learned APP assures to communicate the said order to the Superintendent, Thane Central Jail during the course of the day for compliance thereon.

6. The Application is disposed of accordingly.

[SURENDRA P. TAVADE, J.]