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

+ **BAIL APPLN. 2059/2020**

JANAK LALI

..... Applicant

Through: Mr. Aditya Aggarwal, Advocate.

Versus

STATE

.....Respondent

Through: Mr. Kewal Singh Ahuja, APP for State.

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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11.08.2020

(hearing through Video Conferencing)

The applicant vide the present application seeks the grant of interim bail in relation to FIR No.392/2019, PS Sangam Vihar under Sections 323/363/376/506 of the Indian Penal Code, 1860 and Section 17 of the POCSO Act, 2012 with it having been submitted to the effect that the applicant is ailing and that she has even been hospitalized in jail.

The status report had been called for from the State as well the Superintendent Jail, Delhi concerned where the applicant is lodged qua the present medical condition of the applicant as well as the treatment provided to her. The medical status report dated 08.08.2020 that has been sent by the Superintendent Central Jail, Tihar, Delhi shows that the applicant had complained of pain in lower abdomen, ankle pain and lower backache with Radiculopathy and has been under regular follow up of jail visiting SR (Obs and Gynae) and that she was examined on 01.07.2020 on which date she gave no fresh complaint and that her vitals were within

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Signing Date: 12.08.2020
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the normal limit and routine examinations of blood and urine investigation were conducted which were found to be within normal limits and on 17.07.2020, when she complained of pain in lower abdomen, she was again advised medications alongwith blood and urine investigation, which reports were also normal and all prescribed medicines were provided to her from CJ-06 Dispensary.

Undoubtedly, the applicant is indicated to have been hospitalized in the MI Room of the jail on 27.07.2020 when she complained of loose motion, vomiting with headache for last one day whereafter, she had been kept under observation of the medical and para medical staff of CJ-06 Dispensary and they provided injectables and she whereafter was discharged on 31.07.2020 from the MI Room in a stable condition after having been reviewed by the jail visiting Gynaecology SR and Orthopaedic SR and the doctor has prescribed medicines.

On 05.08.2020, she had visited the CJ-06 Dispensary and complained of chakkar, bilateral neck pain and itching in scalp and her vital on examination were found to be in normal limits and the doctor had prescribed medicines for pain and itching in the scalp.

The status report dated 08.08.2020 specifies that the vitals of the applicant are within the normal limit and she got medication for pain and itching in the scalp. The status report that has been submitted on behalf of the State after verification of the document of Andhra Association Healthcare & Diagnostic Centre indicates that it has been reported by Dr.Roohi of the said Centre that the applicant had been registered with the said Centre on 01.06.2020 and was treated there and was advised investigation and she was given conservative treatment and that no date of any surgery was given to the applicant nor was any further treatment recommended.

Apparently, thus the applicant is being provided adequate medication at the Tihar Jail, New Delhi and the submission thus, made on behalf of the applicant that the applicant needs to be released on interim bail for any treatment in the present circumstances, presently, is not tenable as she is being provided adequate treatment at the Tihar Jail.

The application is declined.

However, the Superintendent Jail, Delhi concerned shall ensure that all requisite treatment is provided to the applicant by the jail authorities.

ANU MALHOTRA, J

AUGUST 11, 2020
'neha chopra'