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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2329/2020

JANAK LALI

..... Petitioner

Through: Mr. Ankit Mutreja, Advocate

versus

STATE

..... Respondent

Through: Mr. Ashok Kumar Garg, APP for State

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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02.09.2020

(Hearing through Video Conferencing)

The applicant vide the present petition has sought the grant of interim bail for a period of 30 days in relation to the FIR No. 392/2019, Police Station Sangam Vihar registered 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 on behalf of the applicant that vide order dated 11.8.2020 in Bail Appln. No. 2059/2020 declining the prayer of the applicant seeking interim bail her condition has deteriorated and apart from the ailments she suffers from she has also been suffering from breathing problems.

Notice thereof was issued to the State and the status report was called for from the State. The Superintendent Jail, Delhi concerned was also directed to submit a report qua the present medical condition of the applicant after her examination on the receipt of order dated

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25.8.2020. The medical report dated 31.8.2020 that has been received from the Medical Officer, Central Jail No. 6, Dispensary indicates to the effect that:

“ As per available record, she is follow up case of pain in lower abdomen, ankle pain and lower backache with Radiculopathy. She is under regular follow up of Jail visiting SR (Obs & Gynae), Jail visiting SR Orthopedic and Doctor on duty in CJ-06 Dispensary.

Aforesaid Inmate reentered in CJ-06 on 01/07/2020, medical examination done on same day and patient didn't gave any fresh complaint. Her vital were within normal limit and routine examinations of blood and urine investigation were within normal limit. All prescribed Medicines provided to her from CJ-06 Dispensary.

On 17/07/2020, she was seen by Jail visiting Gynecology SR for the complaint of pain in lower abdomen for which she was advised medications along with blood and urine investigation. Her blood and urine investigations were within normal limit. All prescribed Medicines provided to her from CJ-06 Dispensary.s

On 27/07/2020, patient has complaint of loose motion, vomiting with headache since one day for which she admitted in MI Room. She was under round the clock supervision of Medical and Paramedical staff of CJ-06 Dispensary and on injectables for above-mentioned ailments. She discharged from MI Room on 31.07.2020 in stable condition. She reviewed by Jail visiting Obs & Gynecology SR for Oligomenorrhea and doctor prescribed her medicines.

On 05/08/2020, she visited to CJ-06 Dispensary and complaint of Chakkar and Bilateral leg pain and itching in scalp. During examination, her vital were within normal limit and Doctor prescribed her medicines for pain in leg and itching in scalp.

Her blood investigations done in CJ-06 Dispensary on 10/08/2020 and all reports were normal.

On 14/08/2020, she complaint of low backache and

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right elbow pain and reviewed by Jail visiting Orthopedic SR. Orthopedic Doctor prescribed her medicines, which were provided to her from CJ-06 Dispensary.

She last reviewed by Jail visiting Gynecology SR on 21/08/2020 for on & off lower abdominal pain. She refused for gynecological examination. Doctor prescribed her medicines according to her complaint and medicines provided to her from CJ-06 Dispensary.

She never visited to CJ-06 Dispensary for breathing problem. Her medical examination done on 27/08/2020 and her vitals were within normal limit.

She was also medically examined by Jail visiting Medicine SR on 31/08/2020 and no abnormality detected. She is under treatment for lower abdominal pain and low backache from CJ-06 Dispensary.”

The said report makes it apparent that the applicant has never made any complaint for having been suffering from breathing problems and has never visited the Jail Dispensary for the same. The medical examination conducted on 27.8.2020 indicates that her vitals are stable and are within normal limits. The medical report also indicates that the applicant was also examined by the Jail Visiting Medicine SR on 31.8.2020 and there was no abnormality detected and that she is under treatment for her lower abdominal pain and low back pain.

As observed vide the order dated 11.8.2020 in Bail Appln. No. 2059/2020 whereby the previous application seeking the grant of interim bail was declined, adequate treatment is being provided to the applicant at the Jail where the applicant is lodged which is also borne out even now through the report of the Medical Officer, Incharge dated 31.8.2020.

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In view thereof, the application is declined. The Superintendent Jail, Delhi concerned shall however ensure that all requisite treatment is provided to the applicant as required by the applicant.

ANU MALHOTRA, J

SEPTEMBER 02, 2020/SV

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