

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.476 OF 2021
(Sarika Rajabhau Nimbalkar Vs. The State of Maharashtra and others)

Mr.Pratik Bhosle h/f Mr.A.B.Chalak, Advocate for the petitioner.
Mr.S.J.Salgare, APP for State.

(CORAM : RAVINDRA V. GHUGE AND
B.U.DEBADWAR, JJ.)

DATE : APRIL 9, 2021

PER COURT :

1. The learned Prosecutor has placed before us a communication received by him dated 08/04/2021 alongwith a compilation of documents (14 pages). We have taken the said documents on record and marked them collectively As "X" for identification.

2. The learned Prosecutor submits that a prima facie medical opinion of the Medical Officer, who has examined the petitioner, is that the petitioners needs to undergo angiography at the Government J.J.Hospital Bombay, to assess whether there are any blocks in his arteries or if there is any other heart ailment. An application, at page No.8, would indicate that the Supdt. of Beed District Jail Class II has already applied to the Additional Sessions Judge-4, Ambajogai on 19/03/2021 seeking permission to shift the undertrial (Rajabhau Nimbalkar W/o of the husband of the present petitioner) to the Arthur Road, Central Jail, Mumbai so as to be

referred to the Govt.Hospital for investigation.

3. Considering the above, this petition is disposed off with the following directions :-

[a] In the peculiar circumstances of this case, the learned Additional Sessions Judge-4, shall accord permission to the application dated 19/03/2021 in relation to the under trial Rajabhau Nimbalkar, on 16/04/2021 and forthwith intimate the Supdt. of the concerned Jail.

[b] The Supdt. Beed District Prison, Class II, upon receiving the permission from the Court, shall forthwith shift the under trial to the Arthur Central Jail, Mumbai for his medical examination/treatment.

(B.U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)