

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APPA) NO. 769 OF 2022

IN

CRIMINAL APPEAL NO. 136 OF 2017

(Prashant Rahi Narayan Sanglikar ..vs.. State of Maharashtra, thorough PSO, PS Aheri and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Barun Kumar, Counsel for the applicant,
Mr. H.S. Chitaley, Special PP. and Mr. V.A. Thakare, Addl.P.P. for the
respondents/State.

**CORAM : ROHIT B. DEO &
ANIL L. PANSARE, JJ.**
DATED : 08-09-2022

This application is preferred by Mr. Prashant Rahi Narayan Sanglikar, who is appellant 4 in Criminal Appeal 136/2017 and is presently lodged at Amravati Central Prison.

2. The prayer clauses of the application read thus :

“a) Direct respondent No.2 to prove urgent medical attention and treatment to the applicant by taking him to the specialists.

b) Pass any other appropriate order or direction as would deem fit and proper in the interest of justice and the circumstances.”

3. The application is affirmed by Ms. Shikha Rahi, who is the daughter of the appellant. While it would not be necessary, at this stage, to make an elaborate reference to the averments in the application, broadly the

direction to refer the appellant to Specialist is premised on the assertion that the appellant is suffering from several medical issues like abdominal pain with loose motions and involuntarily vomiting. The contention of the appellant appears to be that while there is some medical treatment administered by the Jail Medical Officer, he is in urgent need of examination by Gastroenterologist.

4. In view of the averments in the application, we had requested the learned Additional Public Prosecutor Mr. V.A. Thakare to immediately contact the Jail Medical Officer and to report to us the medical status of the appellant.

5. Mr. V.A. Thakare states that the Jail Medical Officer Dr. Mohd. Rajik has assured him that General Surgeon from the Irwin Hospital Dr. Arora is shortly visiting the Jail to examine the appellant, and that every suggestion and advice which may be given by Dr. Arora shall be immediately and scrupulously implemented.

6. We note that the appeal is already fixed for hearing on 12-9-2022. We expect the State to file on record the medical status report of the appellant on the next date of hearing.

7. We are certain that the State is not oblivious of the settled law that even a convict is entitled to the best

of the medical treatment and the conviction does not in any manner dilute either the constitutional rights under Article 21 of the Constitution of India or then the basic human rights, one of the facet of which is that the convict receives appropriate treatment.

8. The application is disposed of accordingly.

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)

adgokar