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

+ **W.P.(CRL) 2683/2024**

BABITA SHARMA

.....Petitioner

Through: **Mr. Ramakant Gaur, Adv.**

versus

**STATE NCT OF DELHI THROUGH ANTI CORRUPTION
BRANCH & ANR.**

.....Respondents

Through: **Mr. Sanjeev Bhandari, ASC for the
State with ACP Jarnail Singh**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

02.09.2024

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CRL.M.A. 26343/2024 (exemption)

1. Allowed, subject to just exceptions.
2. Application accordingly disposed of.

W.P.(CRL) 2638/2024

3. The present Petition has been filed under Article 226 and 227 of the Constitution of India read with Section 528 of the BNSS, 2023 for constitution of Medical Board of specialized doctors for a concerted treatment of the petitioner as her life is at the critical and terminal stage.
4. It is submitted in the Petition that the respondent No. 2 has given a summarized version of the medical report of the petitioner. It outlines that the petitioner is a known case of diabetes, colitis, hypertension. The medicines have been prescribed to her in terms of her sugar and her blood



pressure monitoring is being done regularly.

5. She was sent to Safdarjung hospital in the gastroenterology department on 28.08.2024 and she has been prescribed her medicines and was further called after 15 days in CJ-06 dispensary.

6. The record shows that a report was submitted that her ailments can be adequately treated in the Jail Dispensary by a specialist doctor and if the treating doctors feels like her treatment is not manageable in the Jail, he would refer the petitioner to the concerned hospital. It is specifically mentioned that these ailments are chronic and need prolonged treatment.

7. Learned counsel for the petitioner submits that if the Jail Authorities were able to manage the ailment, there was no need of sending her to different hospitals. She has been referred to different hospitals and more than 30 medicines have been prescribed to be taken everyday. A request has been made that her treatment be done in a single Hospital and one set of medicine be prescribed for a proper health management.

8. He further submits that the Medical Board of the Doctors of AIIMS be constituted, if the need is so felt.

9. Learned counsel for the respondent has referred to the various Medical Reports and submitted that the ailments from which the petitioner is suffering, the Jail Hospital is sufficiently equipped to provide appropriate treatment.

10. It is further submitted that the circumstances do not warrant constitution of a Medical Board, which is the only request made in the present Petition. It is also submitted that if any need for taking her to a specialized hospital is felt, immediate action shall be taken.

11. Submissions heard.



12. Though the petitioner has sought the constitution of a Medical Board of the doctors of AIIMS, but during his submissions he has expressed his concern of she being treated at different hospitals. It is therefore, directed that the petitioner be treated at one hospital, preferably Safdurjung hospital or in any other hospital, instead of being taken to different hospitals which can provide her with treatment of all her ailments. Furthermore, special care be taken of her dietary requirements in the light of her health as advised by the doctors.

13. The Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 2, 2024/PT