

ITEM NO.19

Court 2 (Video Conferencing)

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Crl.) No.7502/2019

(Arising out of impugned final judgment and order dated 28-02-2019 in CRLAP No. 1056/1983 passed by the High Court of Judicature at Allahabad)

RAVINDRA SINGH & ORS.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

Date : 15-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. A.N.S. Nadkarni, Sr. Adv.

Mr. Sibbo Sankar Mishra, AOR

Mr. Niranjana Sahu, Adv.

Mr. U.K. Mishra, Adv.

For Respondent(s)

Mr. Ankit Goel, AOR

Mr. R.K. Gupta, Adv.

Mr. Abhinav Kaushik, Adv.

Mr. Mrigendra Singh, Sr. Adv.

Ms. Abha R. Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through Video Conferencing.

Heard Mr. A.N.S. Nadkarni, learned Senior counsel appearing for the petitioners, Mr. Ankit Goel learned Advocate-on-Record appearing for the State of U.P. and perused the Office Report dated 13-3-2021.

Learned Senior counsel states that in compliance with the order of this Court dated 13-1-2021 granting bail on medical grounds to Petitioner No.1 – Ravindra Singh, for a period of two months from that date and directing him to surrender on 14-3-2021, he has surrendered on the said date before the concerned Jail Authorities

Learned Senior counsel further submits that the petitioner could not undergo the surgery due to his other ailments and prays for bail for the said purpose.

Learned counsel appearing for the State of U.P., on the other hand, vehemently opposed grant of bail to the petitioner on the ground that no surgery is required to be operated upon him.

After perusing the material available on record, we find that a Certificate dated 24-5-2019 was issued to the petitioner by the Office of the Director & Medical Superintendent in Chief U.H.M. District Hospital which is extracted below:-

"Dated: May 24, 2019.

To whom it may concern

Certified that Sri Ravindra Singh s/o Late Shiv Pal Singh Aged about 65 years R/o Village Nigoha PS - Chaubeypur, Kanpur Nagar whose signature attested below is under my treatment. Condition of patient is critical, immediate prostate surgery is advised. For control of B.P. and Blood glucose level, 24 hours medical supervision is recommended.

xx xx xx xx xx"

On the other hand, the learned counsel for the State has brought to our notice a subsequent Report dated 26-9-2020, wherein it is stated that the petitioner is undergoing treatment and is living ordinarily in the barrack.

During the course of hearing, learned counsel for the State has also sent another Medical Certificate dated 13-3-2021 issued by the L.P.S. Institute of Cardiology, G.S.V.M. Medical College, Kanpur, U.P., through e-mail, in which it is indicated that the petitioner was hospitalized on 6-3-2021, who was suffering from various ailments etc., and was discharged on medical management. It has also been indicated in the said Certificate that the treatment of the petitioner is possible from Jail with regular follow-up.

In view of the above and considering the Medical Reports of the petitioner, we thought it fit to direct the State to constitute a Medical Board to examine the petitioner and submit a Report to us about his health condition, and particularly, the necessity of the surgery upon him, within a period of two weeks from today.

List the matter after two weeks.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(RAJ RANI NEGI)
DY. REGISTRAR