

ITEM NO.1707

COURT NO.9

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 17657/2024

MAHESH

PETITIONER(S)

VERSUS

STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

(IA No. 99992/2024 - EXEMPTION FROM SURRENDERING WITHIN TIME)

Date : 01-08-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANDEEP MEHTA
[IN CHAMBER]

For Petitioner(s) Mr. B.P. Singh Dhakray, Adv.
Mr. Shakti Singh Dhakray, Adv.
Mr. Kumar Dushyant Singh, AOR

For Respondent(s)

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

IA No. 99992/2024 - EXEMPTION FROM SURRENDERING WITHIN TIME

1. The petitioner who has been convicted for the offence punishable under Section 304 Part-I of the Indian Penal Code, 1860 (IPC) and sentenced to ten years rigorous imprisonment, seeks exemption from surrendering on various grounds.

2. Learned counsel for the petitioner submits that the petitioner suffered an accident in the year 1989 which has caused subsisting permanent damage to his brain and even as on date, the petitioner is facing numerous difficulties in his day to day activities and is

unable to lead a normal life. In support of this contention, additional documents have been filed.

3. Along with the documents, a CT Scan reports of the petitioner and the diagnostic report issued by the GS Medical College & Hospital, NH-24, Pilkhwa, District-Hapur-245304 (U.P.) have been filed. In order to make a verification of the medical condition of the petitioner, it is hereby directed that the petitioner shall appear at Neurology Department of All India Institute of Medical Science (AIIMS), Delhi on 9th of August, 2024, where an expert body constituted by the Director, AIIMS shall medically examine the petitioner and forward the medical examiner report to this Court in a sealed cover by the next date of hearing. Re-notify this matter on 23rd of August, 2024.

(JAGDISH KUMAR)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)