

\$~1 (Division Bench)

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

+ CRL.A. 1196/2013

SHAHZAD AHMED

..... Appellant

Through: Ms Warisha Farasat,
Advocate.

versus

STATE

..... Respondent

Through: Ms Shubhi Gupta, APP for
State.

Mr Rajesh Mahajan, Special
Counsel for State with Ms
Aashaa Tiwari, Advocate.

Inspector Daleep Kumar,
Crime Branch, Delhi Police.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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26.12.2022

CRL.M.A. 27637/2022

1. The appellant has filed the present application, *inter alia*, praying that directions be issued to the respondent authorities to transfer the accused from GTB Hospital to All India Institute of Medical Sciences (AIIMS), New Delhi or Safdarjung Hospital for medical care and treatment.

2. The learned counsel appearing for the applicant submits that the applicant has been admitted in GTB Hospital for the past eighteen days. He was also put on the ventilator; and his condition has not improved. According to the counsel, the condition of the accused has deteriorated. It is also stated that the Hospital does not have a Super Speciality Department in Gastroenterology.

3. The learned counsel appearing for the respondent has handed over a report from the concerned Hospital, which indicates that the applicant is being given the best possible treatment. It is also stated that the recovery is likely to be gradual as his overall prognosis is guarded. The diagnosis is that of acute necrotizing pancreatitis. However, the learned counsel for the applicant insists that the applicant has not been provided the necessary medical assistance. It is also alleged that he has not been provided the necessary nutrition. Although this Court is of the view that the applicant's allegations are based on mere apprehensions but it is apparent that the applicant has little faith in the Hospital.
4. The learned counsel for the respondent states that the respondent has no objection for transferring the patient from GTB Hospital to Safdarjung Hospital.
5. In view of the above, the present application is allowed.
6. The respondent is directed to take the necessary steps for transferring the accused from GTB Hospital to Safdarjung Hospital as expeditiously as possible.

VIBHU BAKHRU, J
(VACATION JUDGE)

AMIT SHARMA, J
(VACATION JUDGE)

DECEMBER 26, 2022
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