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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2742/2017 and CRL. M. A. 15766/2017

JAMAL ALIAS RANJHA

..... Petitioner

Through

Mr. Arvind Kumar, Advocate

versus

NCT OF DELHI & ORS.

..... Respondents

Through

Mr. Rahul Mehra, Standing Counsel for
the GNCTD with ASI Surender Dutt, P.S.
Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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19.09.2017

This matter was mentioned before DB-I in the morning. We have perused the order passed by the learned Court. Learned counsel for the petitioner claims that his client is not being produced in the Trial Court, despite a direction of the Trial Court, which has led him to file this petition.

Mr. Mehra, learned Standing Counsel who appears on an advance copy submits that Jamal alias Ranjha, his two brothers and father are facing trial in the case filed under Maharashtra Control of Organised Crime Act (MCOCA). It is contented that, initially four persons of the family were kept in Rohini Jail till the month of March, 2017. Having regard to the conduct of Jamal and his father and brothers, Jamal was transferred to Jail No.3, Tihar Jail while one brother Kamal was transferred to Jail No.8 and 9, Tihar Jail while the father and one of his brother continue to remain in Rohini Jail. Mr. Mehra has highlighted that this transfer became necessary on account of the bad conduct of Jamal and other family members.

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Mr. Mehra also submits that Jamal has been indulging in illegal activities, for which he has been punished by the authorities. He has been smuggling drugs and was found in possession of mobile phone in the Jail. It is submitted that on 10.09.2017 he along with two other persons were found unconscious and taken to the Jail Doctor and then transferred to Deen Dayal Upadhyay (DDU) Hospital. It is contended that a law and order situation was created by Jamal in the hospital and had to be taken to the Jail Hospital. Thereafter, he created self injury on his head and not only hurt himself but also instructed others to hurt themselves.

Mr. Mehra submits that Jamal is back in the DDU Hospital. He would have no objection if the counsel wishes to meet him in the hospital, subject to the doctor granting him permission.

Let a comprehensive affidavit be filed by the State.

The counsel is granted leave as prayed by him to meet Jamal in the hospital today i.e. 19.09.2017 between 06:00 to 07:00 p.m. for 10 minutes in the presence of the Jail Authorities, who are present in the hospital/3rd Battalion as well as in the presence of ASI Surender Dutt, P.S. Hari Nagar.

Mr. Kumar, learned counsel for the petitioner submits that there will be no breach of peace.

List on 25.09.2017.

A copy of the order be given *dasti* under the signature of the Court Master.

G.S.SISTANI, J

CHANDER SHEKHAR, J

SEPTEMBER 19, 2017/b
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