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

+ **W.P.(CRL) 3510/2024**

MOHAMMAD YASIN MALIK

.....Petitioner

Through: Mr. Md. Irshad Harif, Mr. M. Asad
Beig and Mr. Khalid Azeer,
Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **08.11.2024**

CRL.M.A. 33633/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 3510/2024

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioner with the following prayers:

“i) issue a writ in the nature of mandamus or any other writ, order or direction of like nature thereby directing the respondents to produce the record of medical treatment of the petitioner for passing appropriate directions to the respondents to refer the petitioner for his proper and necessary treatment in AIIMS, or any other Hospital of Super Specialty, New Delhi or the region of Srinagar, Kashmir and/or

ii) issue a writ in the nature of mandamus or any other writ, order or direction of like nature thereby directing the



respondents to produce the petitioner before the Hon'ble Courts within the NCT of Delhi whenever his presence was so required and / or

iii) issue a writ in the nature of certiorari or any other writ, order or direction of like nature thereby to revoke / struck off the order / communication dated 19.12.2023 passed under Section 268 of Cr.P.C. and / or

iv) issue writ of mandamus or any other writ of similar nature directing the respondents to not to misinterpret the order dated 19.12.2023 during the pendency of present Writ Petition.”

2. Issue notice. Respondents be served by all permissible modes on necessary steps being taken by the petitioner, returnable for 11.11.2024.

3. Learned counsel for petitioner submits that petitioner, who is on hunger strike since 01.11.2024 in custody requires urgent medical treatment and admission in the hospital owing to deteriorating health. Attention is also drawn to earlier orders dated 02.02.2024 and 14.02.2024 passed by this Court in W.P.(CRL) 363/2024 preferred on behalf of the petitioner.

4. Keeping in view the submissions made by learned counsel for the petitioner, let medical status report of the petitioner be called from the Superintendent Jail. Superintendent Jail is further directed to ensure that necessary medical treatment is provided to the petitioner, in accordance with Delhi Prison Rules, 2018.

List on 11.11.2024 at 12:15 PM.

A copy to this order be forwarded to Superintendent Jail for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

NOVEMBER 08, 2024/R