



[2026:RJ-JD:26707]

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Criminal Writ Petition No. 2541/2026

Asharam Alias Ashumal S/o Shri Thewardas, Aged About 85 Years, R/o- Sant Shri Asharam Bapu Ashram, Motera Road, Sabarmati, Police Station Chandkheda, District Ahmedabad Gujrat. Undergoing Life Imprisonment At Central Jail, Jodhpur.

-----Petitioner

Versus

1. State of Rajasthan, Through The Public Prosecutor.
2. The Jail Superintendent, Central Jail, Jodhpur

-----Respondents

For Petitioner(s)	:	Mr. R.S. Saluja with Mr. Arpit Surana Saluja. Mr. Yashpal Singh Rajpurohit. Mr. Bharat Sain. Mr. Aaditya Dangi.
For Respondent(s)	:	Mr. Deepak Choudhary, AAG with Mr. Shrawan Singh Rathore, Dy.G.A. Mr. Kuldeep Singh Rathore.

HON'BLE MR. JUSTICE SANJEET PUROHIT (VACATION JUDGE)**Order****04/06/2026**

1. Present writ petition has been filed under Article 226 of the Constitution of India *inter alia* seeking restoration of certain facilities and accommodations which had earlier been extended to petitioner-convict pursuant to orders passed by the Hon'ble Supreme Court as well as this Court, having regard to his age and medical condition so also for seeking some additional facilities. The grievance of petitioner is that upon conclusion of criminal appeal against conviction order dated 25.04.2018 and his subsequent surrender before jail authorities, the facilities which had been available to him during the pendency of proceedings





have been withdrawn, necessitating institution of present writ petition.

2. A perusal of the record shows that petitioner was tried in Sessions Case No.116/2016 (152/2013) before learned Special Judge, POCSO Act Cases, Jodhpur Metropolitan, Jodhpur ("*learned Trial Court*"), and, vide judgment dated 25.04.2018, learned Trial Court convicted petitioner of various offences under the India Penal Code ("*IPC*"), the Juvenile Justice Act ("*JJ Act*") and the Protection of Children from Sexual Offences Act, 2012 ("*POCSO Act*").

2.1 Said judgment dated 25.04.2018 was challenged before Hon'ble Division Bench of this Court in D.B. Criminal Appeal No.123/2018, which was decided vide judgment dated 27.05.2026, whereby the conviction of petitioner was partly upheld and petitioner was directed to undergo imprisonment for the remainder of his natural life.

2.2 Counsel for petitioner has referred to various documents to substantiate seriousness of the medical condition of petitioner, among which are various reports of AIIMS, Jodhpur recording that petitioner is suffering from multiple serious ailments including Critical Coronary Artery Disease (CAD), Diabetes Mellitus, Renal Tubular Acidosis (RTA), recurrent Hyperkalemia, Hyponatremia, Sarcopenia, Osteoporosis and other disorders so also medical certificates dated 31.05.2026 issued by Dr. Sachit Bhola, M.D. (Medicine) and dated 03.06.2026 issued by Dr. Arun Kumar Tyagi, Head / Treating Doctor, Arogyam Hospital, Jodhpur.





2.3 It is contended that during the course of trial and thereafter during pendency of aforesaid criminal appeal, on various occasions, applications were filed before the Hon'ble Supreme Court as well as this Court, wherein, in view of the age and peculiar medical condition of petitioner and to ensure petitioner's well-being while in custody, directions have been issued, from time to time, permitting certain facilities to be extended to the petitioner including supply of food from private sources, consultation and treatment by doctors acquainted with his medical condition, and such other accommodations as were considered appropriate in the facts and circumstances then obtaining. Learned counsel for petitioner has placed on record said orders, relevant part thereof are reproduced below :-

Previous Judicial Directions: -

3. Vide order dated 24.02.2014 passed by Coordinate Bench of this Court in *S.B. Civil Writ Petition No. 01/2014*, application of petitioner was allowed and directions were issued to Jail authorities to permit petitioner to procure food, clothing and bedding from private sources. Relevant para is extracted hereinbelow: -

"Accordingly, it is directed that an affidavit and an undertaking shall be submitted on behalf of the petitioner to the Supdt. Central Jail, Jodhpur within a period of three days mentioning the name of the person who shall supply to the petitioner food, clothing and bedding in terms of Rule 223. The food shall be permitted to be supplied twice a day to the petitioner. Upon the requisite affidavit/undertaking being filed, the petitioner shall be permitted to receive food, bedding and clothing from the private





sources subject to scrutiny as per the clauses (a), (b) and (c) of Rule 223 of the Rules of 1951."

3.1 The Hon'ble Supreme Court, vide order dated 20.01.2015, passed in *Special Leave to Appeal (Crl.) No(s). 3852/2014*, allowed Dr. Arun Tyagi to visit petitioner in jail and provide necessary treatment. Relevant para of said order is extracted below: -

"Mr. Vikas Singh at this stage submitted that the petitioner has been earlier treated by Dr. Arun Kumar Tyagi, Arogayadham Hospital and would like to continue with the treatment advised by him. There are no serious objection to that prayer being allowed. **We also see no reason why the Doctor named by learned counsel for the petitioner should not be allowed to visit the petitioner in jail to administer such treatment as is considered necessary of course at the risk of the petitioner.**"

3.2 Thereafter, during the pendency of the appeal before the Hon'ble Division Bench of this Court, an interlocutory application was preferred on behalf of petitioner seeking permission to obtain food from private sources, in respect of which, vide order dated 10.08.2020, following directions were issued: -

"Manifestly, after looking at the food items prescribed by the doctor, this Court is duly satisfied that it would be difficult for the jail authorities to provide the same to the appellant on a regular basis. **The appellant was granted similar relief during the course of trial by order dated 24.02.2014 with reference to Clauses (a), (b) and (c) of Rule 223 of the Rajasthan Prison Rules, 1951 and thus, we feel that the same indulgence can be extended to the appellant.**

Accordingly, it is hereby directed that the person responsible for supplying food to the appellant at the jail shall submit an affidavit to the Superintendent Central Jail,



Jodhpur mentioning the details of the person who will supply the food articles to the appellant at the jail "once every day". The identification documents of the said person shall also be annexed with the affidavit. **The appellant shall also submit an undertaking to the Jali Superintendent owning all responsibility of possible adverse effect to his health by consuming privately procured food articles. The food being provided to the appellant from private sources shall be checked thoroughly by the jail authorities and thereafter, the appellant shall be permitted to consume the same."**

3.3 Some orders were also passed by this Court permitting the petitioner to undergo treatment at the Arogyadham Hospital, Jodhpur, under the supervision of Dr. Arun Kumar Tyagi, and in strict police custody. For purposes of reference, relevant paras of order dated 21.03.2024 passed by this Court in *D.B. Criminal Appeal No. 123/2018* is quoted below: -

"4. In view of the aforesaid and having regard to the condition of the present applicant including his age, we feel that right to get appropriate treatment is his fundamental right and same needs to be protected.

5. We, therefore, dispose of the present application by directing that applicant's treatment shall be carried out at 'Arogyadham Center' at Jodhpur, in police custody. It will be required of the Commissioner of Police or his nominated officer to first visit the Arogyadham Center and assess the situation more particularly in relation to security aspects.

6. After the requisite security arrangements are made, the applicant shall be sent to Arogyadham Center at Jodhpur in police custody. Commissioner of Police shall make proper arrangement so as to ensure security of the applicant so also the law and order situation in and around the Arogyadham Center."



3.4 During the pendency of the appeal, Division Bench of this Court, vide order dated 26.07.2024, also permitted visits by specialist Doctor of choice, Dr. Sachit Bhola, while petitioner was lodged in jail. Relevant para of said order is reproduced hereinbelow: -

"4. The application is, therefore, allowed. **It is hereby ordered that as and when applicant requires consultation from above referred Doctor (Dr. Sachit Bhola), he shall be permitted to visit the applicant in Jail. The Jail Authorities shall provide appropriate place for visitation.**

5. It will be open for the Jail Authorities to satisfy themselves about the identity of Dr. Sachit Bhola (M.D.) when he comes to Jail for visiting the applicant."

In this regard, this Court has taken note of order dated 30.05.2026 issued by the office of Superintendent, Central Jail, Jodhpur, in compliance with aforesaid order dated 26.07.2024 and further order dated 30.05.2026 issued by District Legal Services Authority, whereby permission was granted to Dr. Sachit Bhola to visit petitioner for medical purposes.

3.5 Vide order dated 27.08.2025 passed in *D.B. Criminal Miscellaneous Application No. 485/2025*, in view of the report submitted by the duly constituted Medical Board, wherein it was certified that petitioner did not require hospitalization and continuous medical care, prayer for extension of interim bail was rejected, this Court nevertheless permitted the use of wheelchair and attendant within jail premises, while passing the following directions: -





"6. The application for extension of interim bail is, therefore, rejected, however, subject to the following conditions:-

(i) The Jail Superintendent shall allow the applicant to have necessary movements on wheel chair which shall provided by the applicant.

(ii) **The Jail Superintendent shall deploy one person for continuous assistance of the applicant and to operate the wheel chair.**"

3.6 A cumulative reading of aforesaid orders reveals that facilities and accommodations extended to petitioner were not founded upon considerations of any status or privilege, but upon judicial assessment of petitioner's age, medical condition and requirements of treatment on the basis of material placed before the Courts from time to time. It is pertinent to note that aforesaid directions were acted upon over a considerable period of time and there is no material placed before this Court indicating any misuse thereof.

Role of Judiciary in Prison Reforms / Rights of Prisoner: -

4. Before adverting to the individual reliefs sought by petitioner, this Court considers it appropriate to briefly discuss the constitutional principles governing treatment of prisoners inside prisons. Modern penology has long moved beyond the purely retributive conception of punishment, and while lawful imprisonment necessarily curtails certain liberties which are incompatible with confinement, a prisoner does not cease to be a human being. The State, having assumed complete control over the life, liberty and physical well-being of an incarcerated individual, bears a corresponding obligation to ensure that





conditions of confinement remain consistent with constitutional guarantees, particularly those flowing from Article 21 of the Constitution of India.

4.1 The Hon'ble Supreme Court of India has, over the years, developed a robust body of jurisprudence concerning the rights of prisoners and the obligations of the State towards them. A foundational articulation of these principles is found in ***D. Bhuvan Mohan Patnaik v. State of Andhra Pradesh, (1975) 3 SCC 185***, wherein the Hon'ble Supreme Court observed thus:

"Convicts are not, by mere reason of the conviction, denuded of all the fundamental rights which they otherwise possess. A compulsion under the authority of law, following upon a conviction, to live in a prison-house entails by its own force the deprivation of fundamental freedoms like the right to move freely throughout the territory of India or the right to practise a profession...But the Constitution guarantees other freedoms...for the exercise of which incarceration can be no impediment, likewise, even a convict is entitled to the precious right guaranteed by Article 21 of the Constitution that he shall not be deprived of his life or personal liberty except according to procedure established by law."

4.2 The principle was carried substantially forward by the celebrated decision of the Hon'ble Supreme Court in ***Sunil Batra v. Delhi Administration, (1978) 4 SCC 494***, wherein the Court undertook a comprehensive examination of the relationship between incarceration and constitutional rights. Speaking for the Court, Hon'ble Justice V.R. Krishna Iyer emphatically rejected the notion that prison walls insulate State action from constitutional scrutiny and memorably observed thus: -





"5. *"Prisons are built with stones of law" and so it behoves the court to insist that, in the eye of law, prisoners are persons, not animals, and punish the deviant 'guardians' of the prison system where they go berserk and defile the dignity of the human inmate. **Prison houses are part of Indian earth and the Indian Constitution cannot be held at bay by jail officials "dressed in a little, brief authority", when Part III is invoked by a convict. For when a prisoner is traumatized, the Constitution suffers a shock. And when the court takes cognizance of such violence and violation, it does, like the Hound of Heaven, "But with unhurrying chase, and unperturbed pace, Deliberate speed and Majestic instancy" follow the official offender and frown down the outlaw adventure.***"

The judgment recognized that incarceration does not extinguish the entitlement of prisoners to humane treatment and dignified living conditions. The Court held that prisoners remain entitled to such ordinary amenities as are consistent with incarceration, including adequate food, clothing, bedding, opportunities for reading and self-expression, and other incidents of a life compatible with human dignity. The observations made therein marked a decisive shift from a purely punitive approach towards a constitutional and human rights-oriented understanding of prison administration.

4.3 Similarly, in ***Francis Coralie Mullin v. Administrator, Union Territory of Delhi, (1981) 1 SCC 608***, the Hon'ble Supreme Court reiterated that fundamental rights do not flee the person as he enters the prison gates and held that the right to life is not confined to mere animal existence. It was observed: -



"8. But the question which arises is whether the right to life is limited only to protection of limb or faculty or does it go further and embrace something more. **We think that the right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter and facilities for reading, writing and expressing oneself in diverse forms, freely moving about and mixing and commingling with fellow human beings.**"

4.4 Aforesaid decisions firmly establish that a prisoner continues to remain bearer of fundamental rights to the extent compatible with confinement. The obligation of the State is not merely to ensure custody of prisoner but also to preserve his life, health and dignity.

5. At the same time, the constitutional mandate to safeguard the rights of prisoners cannot be interpreted in a manner that undermines the necessity of maintaining institutional discipline and parity of treatment amongst similarly situated inmates. Exercise of judicial discretion must therefore ensure a balance between the existing framework of prison administration, on the one hand, and the constitutional obligation to ensure that incarceration does not result in avoidable impairment of a prisoner's life, health or dignity, on the other.

5.1 It deserves reiteration that the medical condition and treatment requirements of petitioner have repeatedly engaged the attention of the Hon'ble Supreme Court as well as this Court, and judicial directions have regularly been passed, as noted



hereinabove, permitting extension of certain facilities and accommodations to petitioner accordingly.

5.2 This Court is of the considered opinion that the entitlement of a prisoner to receive necessary medical facilities, assistance, and other accommodations required on account of his health condition cannot be made contingent upon the procedural stage of the criminal proceedings. Whether a person is an under-trial prisoner, a convict whose appeal is pending adjudication, or a convict whose appeal has already been decided, the obligation of the State to ensure adequate medical care and humane treatment while such person remains in custody continues unabated. The disposal of an appeal, by itself, does not create any legal basis for curtailing, withdrawing, or recalling facilities that were granted primarily to address the peculiar medical needs of the prisoner.

It is pertinent to note that the directions issued from time to time by the Hon'ble Supreme Court as well as by this Court, as noticed hereinabove, were not founded upon the pendency of the petitioner's appeal nor were they intended to operate only for the duration of such proceedings. Rather, the grant of such facilities was predicated upon an assessment of the petitioner's exceptional medical condition and the corresponding necessity of ensuring appropriate care, treatment, assistance, and support while in custody.

Once based on judicious assessment of medical condition of the petitioner, the Court has issued aforesaid directions and the medical condition remains unchanged even after the disposal of the appeal, in the absence of any material demonstrating a





substantial improvement in the petitioner's health or a change in circumstances warranting reconsideration of the facilities earlier granted, there exists no justification for discontinuing the same.

The rights of a prisoner do not stand eclipsed upon conviction, nor can they be diminished merely because the appellate proceedings have attained finality. It is well settled that a prisoner continues to retain all fundamental and human rights except those which are necessarily curtailed by virtue of lawful incarceration.

Accordingly, this Court is satisfied that the circumstances which persuaded the Hon'ble Supreme Court and this Court to extend the aforesaid facilities to the petitioner continue to subsist. The mere disposal of the appeal does not furnish a valid ground for their withdrawal. Therefore, it is directed that all medical facilities, assistance, attendant support, and other accommodations permitted to the petitioner under the earlier orders passed by the Hon'ble Supreme Court and this Court shall continue to remain available to him, without interruption, for the entire period during which he remains in custody, subject only to any future modification that may become necessary upon a substantial change in his medical condition or upon orders passed by a competent court.

6. However, during the course of arguments, counsel for petitioner has made prayer for additional in-prison facilities, which fall for the consideration of this Court. The same are therefore required to be examined in light of aforesaid constitutional



principles, the material available on record, and the judicial directions already operating in the field.

I. Provision of Bed and Bedding Facilities

6.1 Petitioner has prayed for provision of a bed on grounds of medical necessity in view his advanced age and multiple ailments. In support thereof, reliance has been placed upon medical reports of petitioner by AIIMS, Jodhpur and also certificate dated 03.06.2026 issued by Dr. Arun Kumar Tyagi, who has evidently been treating petitioner for a considerable period of time.

6.2 A perusal of AIIMS report dated 22.08.2025 shows that petitioner has been found experiencing difficulty in getting up from a sitting position, while AIIMS report dated 18.10.2025 records that petitioner suffers from osteoporosis involving the spine and hip. Furthermore, aforesaid certificate dated 03.06.2026 also records that petitioner suffers from generalized muscle weakness (sarcopenia), osteoporosis and severe difficulty in standing up from a sitting or lying position, thereby exposing him to an increased risk of falls and fractures.

6.3 Per contra, learned Assistant to Additional Advocate General (AAAG) has referred to compliance report dated 02.06.2026 submitted by Office of Superintendent, Central Jail, Jodhpur, wherein it has been stated that several other inmates are lodged in the same ward as petitioner and none of them is being provided a separate bed. It has, therefore, been contended that no differential treatment can be extended to petitioner.

6.4 It is further contended on behalf of petitioner that bed and bedding facilities had in fact been extended to him during the





period he remained in custody pursuant to earlier judicial orders; however, significantly, when a specific query in this regard was posed by the Court, the Jail Superintendent, who was present in person, has not controverted aforesaid assertion.

6.5 Having considered the rival submissions, while this Court is conscious of the necessity of maintaining parity amongst inmates, however, is of considered opinion that the principle of equality cannot be applied in a manner that disregards established medical needs of a particular prisoner. Material placed on record consistently indicates that petitioner suffers from ailments affecting mobility and his ability to rise from a sitting or lying position. Significantly, no contrary medical opinion has been placed on record by respondents. Equally relevant is petitioner's assertion that bedding facilities had earlier been made available to him during custody, which assertion has remained unrebutted.

6.6 In such circumstances, this Court finds that the prayer for bed cannot be viewed as one founded upon personal comfort, but as reasonable accommodation flowing from petitioner's medical condition. Denial of the same merely on the ground of parity with other inmates, would amount to overlooking petitioner's established and peculiar medical needs. Accordingly, the respondents are directed to provide a bed and bedding for the petitioner.

II. Provision for Food and Alkaline Water

7. Petitioner has further prayed for permission to receive food and alkaline drinking water from private sources. In support



thereof, reliance has been placed upon order dated 24.02.2014 (quoted supra) whereby permission for supply of food twice a day has been granted by this Court and has also placed reliance upon medical certificate dated 31.05.2026 issued by Dr. Sachit Bhola, wherein, having regard to petitioner's diagnosed ailments, alkaline water has been stated to be preferable as part of supportive medical management.

7.1 Compliance report dated 02.06.2026 submitted by prison authorities reveals that earlier order dated 24.02.2014 was later on modified vide order dated 10.08.2020 passed by Hon'ble Division Bench of this Court and supply of food article was allowed 'once every day'. It is contended that directions permitting supply of food from private sources are being complied with and learned Assistant to Additional Advocate General has fairly submitted that prison administration has no objection to supply of alkaline water along with such food.

7.2 Learned Assistant to Additional Advocate General relied upon Rule 206(1)(b) of Rajasthan Prison Rules, 2022, which provides food from outside for one day's requirement of under trial prisoners shall be allowed at one time. Even in the compliance report dated 02.06.2026, it is mentioned that outside food once every day has been permitted to the petitioner.

7.3 In view thereof, this Court finds no reason to interfere with said arrangement already prevailing in pursuance of order dated 10.08.2020. Thus, the prayer of petitioner for supply of food is declined. However, it is ordered that petitioner shall be permitted to receive food and alkaline drinking water in accordance with the



directions already operating in that regard. It is clarified that the conditions and safeguards (as contained in order dated 24.02.2014 and 10.08.2020) subject to which the facility of sourcing food privately was earlier permitted shall continue to operate and apply equally to the supply of alkaline drinking water as well.

III. Attendants

8. Petitioner has also sought permission to avail services of two attendants of his own choice. It is not in dispute that earlier directions contemplated provision of attendants to assist the petitioner and the compliance report submitted by prison authorities indicates that such attendants have in fact been already provided from amongst the inmates of the jail.

8.1 In light of the foregoing, this Court finds that the requirement of two attendants has effectively been addressed by the prison administration, and petitioner cannot, as a matter of right, insist upon attendants of his own choice. However, it is expected that while assigning attendants, prison authorities shall ensure that the responsibility is entrusted to inmates who are willing and capable of rendering the necessary assistance to the petitioner, so that the arrangement may serve its intended purpose.

IV. Ambulance Facility

9. Insofar as the prayer for allowing access to personal / private ambulance equipped with intensive care unit is concerned, it is pertinent to note that this Court, vide order dated 02.02.2024,



passed in S.B. Criminal Writ Petition No. 212/2024, turned down such request for provision of an ambulance equipped with cardiac equipment and it was held as follows: -

"19. After dictation of the order, Mr. Saluja, learned counsel for the petitioners further prayed that the respondents be directed to provide an ambulance, which is equipped with cardiac equipments and expert attendant, when the patient is required to be transferred from AIIMS Hospital, Jodhpur to Jail or any other place.

20. This Court does not deem it appropriate to pass any order as the patient is already admitted and undergoing his medical treatment in AIIMS Hospital.

21. The petitioners may contact the Jail Authorities for such purpose. In case, such request is not acceded to, the petitioners' right to agitate their cause in accordance with law, shall remain reserved."

9.1 Learned Assistant to Additional Advocate General submitted that two ambulances are already available in the jail and are equipped with oxygen cylinders and stretchers. It has also been submitted that, whenever required, prison authorities may avail the services of emergency ambulance by contacting 108.

9.2 In light of aforesaid submissions and judicial directions already operating in the matter, this Court is of the view that adequate arrangements already exist for addressing any medical emergency involving petitioner and a blanket permission for use of private / personal ambulance for each visit of petitioner to hospital, irrespective of particular health condition of petitioner, cannot be granted. However, it is directed that, in case of any medical emergency or necessity, prison authorities shall ensure availability of appropriate ambulance considering the medical



requirements of the situation and if the circumstances so require, it shall also be open for prison authorities to avail services of privately arranged ambulance, subject to such security measures and supervision as may be considered necessary.

V. Temperature-Controlled Environment

10. Learned counsel for the petitioner has placed reliance upon medical report dated 20.01.2025 issued by AIIMS, Jodhpur, wherein it has been advised that petitioner should avoid exposure to extreme weather conditions and therefore prays that facilities for temperature control may be provided.

10.1 Respondents have submitted that petitioner has been lodged in the same ward, wherein he was kept throughout the pendency of proceedings, and no special arrangements in relation to temperature control were found necessary in the past. It has further been submitted that cooler is available in the hospital ward of jail and that petitioner may be shifted thereto, whenever his medical condition so requires.

10.2 Having considered the submissions advanced, and the material placed on record, this Court is of the view that no case has been made out warranting any interference by this Court in relation to separate temperature-control ward. However, it is expected that prison authorities will be sensitive to petitioner's medical condition and take appropriate steps, including shifting petitioner to the hospital ward, should the circumstances so require.



VI. Visits by Treating Doctor

11. Petitioner has lastly sought permission for visits by his personal doctor (Dr. Sachin Bhola) on a daily basis. It is pertinent to note that this Court, vide order dated 26.07.2024 passed in D.B. Criminal Appeal No. 123/2018, had permitted visits by Dr. Sachit Bhola for the purposes of medical consultation required by petitioner. Furthermore, compliance report dated 02.06.2026 indicates that, in pursuance of aforesaid order, visits by said doctor have been facilitated by prison authorities, as and when required and latest of such visit having taken place on 30.05.2026.

11.1 The compliance report further records that regular medical examinations of petitioner are being undertaken by doctors posted at the Jail Dispensary. It has also been brought to the notice of this Court that, in compliance with order dated 07.11.2024 passed by this Court, petitioner was also recently taken to Arogyadham Hospital for treatment on 02.06.2026.

11.2 Having regard to aforesaid circumstances, this Court finds that adequate arrangements already exist to ensure medical supervision of petitioner. No material has been placed on record to demonstrate that daily visits by petitioner's personal doctor are medically required or that existing arrangements have proved inadequate. Accordingly, no case is made out for permitting such visits on a daily basis. Accordingly, it is directed that visits by Dr. Sachit Bhola may ordinarily be permitted once every fortnight. However, in the event of any medical necessity, it shall be open for



prison authorities to permit additional visits, if the circumstances so warrant.

12. In view of foregoing discussion, and having regard to material placed on record as well as the judicial directions noticed hereinabove, the following directions are passed : -

(i) Respondents shall provide a bed and bedding for petitioner, for the reasons recorded in Paras 6.1 to 6.6 hereinabove.

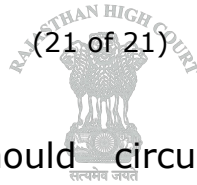
(ii) Petitioner shall be permitted to receive alkaline drinking water along with food supplied from private sources pursuant to earlier judicial directions; however, the conditions subject to which supply of food was allowed shall continue to operate and apply equally to supply of alkaline drinking water.

(iii) Existing arrangement regarding provision of two attendants shall continue; prayer seeking attendants of petitioner's own choice is declined; however, prison authorities shall, as far as practicable, ensure compliance with observations recorded in Para 8.1 hereinabove.

(iv) In the event of any medical necessity, prison authorities shall consider making available appropriate ambulance facility, having regard to medical condition of petitioner then obtaining, including recourse to a privately arranged ambulance where circumstances so warrant, in terms of observations recorded in Para 9.2 hereinabove.

(v) No directions are considered necessary in relation to prayer for temperature-control facilities. However, prison authorities shall remain sympathetic to the condition of petitioner and take





appropriate measures should circumstances so require, as observed in Para 10.2 hereinabove;

(vi) Visits by petitioner's treating doctors, namely, Dr. Sachit Bhola, shall ordinarily be permitted once every fortnight. However, in the event of any emergent medical necessity, jail authorities may on its discretion permit additional visits if circumstances so warrant, as discussed in Para 11.2 hereinabove.

(vii) Subject to the directions issued hereinabove, all facilities, accommodations, permissions and medical arrangements made available to petitioner pursuant to earlier judicial orders noticed hereinabove and others shall continue to remain operative in accordance with the terms and conditions governing the same.

13. With said observations and directions, present writ petition stands **disposed of**.

14. Stay application and all pending applications, if any, stand disposed of.

[SANJEET PUROHIT (VJ)],J

328-sumer/-