

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**(Through Virtual Mode)
From Srinagar Wing**

BAIL APP 184/2025

SAJJAD AHMED ZARGAR

...Petitioner/Appellant(s)

Through: Ms. Zainab Watali, Advocate

Vs.

**UT OF J AND K TH S.H.O. POLICE
STATION GANDHI NAGAR JAMMU**

...Respondent(s)

Through: None

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

**ORDER
15.12.2025**

1. Apropos previous direction, latest health report issued by Senior Medical Officer, District Jail Jammu and communicated by Superintendent District Jail Jammu vide No. DJJ/MS/25/6024 dated 11-12-2025 is on record, which provides that petitioner is a known case of skin infection and is continuously monitored by Doctors and is under routine follow-up with Dermatologist from SMGHS Hospital Jammu. On 08-12-2025, consultations were given to the petitioner and after examination he has been advised some tests which have been done and that he is being regularly provided medical assistance. Even the petitioner had prayed for orthopedic consultation that too has been provided.

2. Ld. counsel for the petitioner claims that petitioner is a case of Psoriasis which is of severe nature thereby its itching is unbearable and given the petitioner being lodged with fellow inmates there is chances of the infection to fellow inmates. The petitioner is facing trial in case FIR No. 30/2023 under Section 8/20/29 NDPS Act of P/S Gandhi Nagar having been involved in recovery of 05 packets of Charas weighing 10-11 kgs which possession the petitioner could not account for. Admittedly, petitioner does not seek bail on merits rather the prayer is restricted to the grant of bail on humanitarian grounds. True that in spite of the embargo laid under Section 37 of NDPS Act, the Court can in appropriate cases on being shown that there is *prima facie* strong case of an under trial suffering from life threatening disease for which suitable treatment cannot be made available or the infrastructure available in the jail premises is insufficient to cope up with the said ailment, the Court can in such situation enlarge the detenu on bail on health grounds, which is not the case herein because petitioner is only stated to be having skin infection for which regular treatment is being provided to him. Nothing has been shown by the counsel for the petitioner to demonstrate that the ailment/infection is such of a nature which has made it impossible for the petitioner to remain in the jail premises or to cause spread of such infection to fellow inmates.
3. On the contrary, the report of Senior Medical Officer of District Jail, Jammu dated 11-12-2025 does not demonstrate that petitioner is suffering from any life threatening disease rather he is being

provided all necessary medical aid, so much so, even on being asked for orthopedic consultation by the petitioner that too has been made available to him. The skin related infection is being examined by the Dermatologist of SMGHS Hospital, Jammu, so, the treatment meted by an expert in the field of Dermatology, as such, petitioner cannot claim that the ailment suffered by him is not being taken care of.

4. This Court find no reasons to exercise discretion for grant of bail on humanitarian grounds or any medical grounds as the case may be, resultantly, I see no merits in the application, the same is *dismissed*.

Copy of the order be conveyed to the Trial Court.

(SANJAY PARIHAR)
JUDGE

SRINAGAR:

15.12.2025

Akshil Dev