

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 23588 of 2015 (O&M)
Date of Decision: 04.09.2015.**

Dhian Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vikram Chaudhary, Sr. Advocate assisted by
Mr. Harshit Sethi, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab
for the respondent-State.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of interim bail on medical grounds on behalf of the petitioner-Dhian Singh in case FIR No. 201 dated 18.12.2013 for offence punishable under Sections 21, 61 and 85 of the Narcotics Drugs and Psychotropic Substances Act, registered with Police Station Bhogpur, District Jalandhar City.

As per allegations in the FIR, the petitioner-Dhian Singh alongwith co-accused were found to be in conscious possession of 900 grams of heroin resulting into lodging the aforesaid FIR.

Learned State Counsel, on instructions from ASI Joginder Singh, states that after submission of the challan, charges have been framed on 29.10.2014, however, no prosecution witnesses have yet been examined.

It is claimed that the petitioner is suffering from Hepatitis 'C' coupled with grave psychiatric problems for which no adequate treatment is available in the jail or in the city. Thus, the prayer is for grant of interim bail on medical grounds.

Upon notice, short affidavit dated 13.08.2015 has been filed by Superintendent Central Jail, Jalandhar at Kapurthala. In the reply, on a query by this Court regarding health of the petitioner, the medical report submitted by the Medical Officer of Central Jail, Jalandhar. The said report as detailed in para No. 4 reads as under:-

“ Dhian Singh S/o Fauja Singh was referred to Civil Hospital, Jalandhar on 17.09.2014 for management of psychiatric illness. He was admitted at Civil Hospital, Jalandhar from 17.09.2014 to 23.09.2014. He was referred again to Psychiatry Deptt. Civil Hospital, Jalandhar on 14.10.2014 and remained admitted there till 22.10.2014 with diagnosis of F-33 with F-44 with Hepatitis. There he was diagnosed to be HCV-Reactive. He was again referred to Psychiatry Deptt. Civil Hospital, Jalandhar on 13.12.2014 and was admitted there till 19.12.2014. The patient was referred to Guru Nanak Dev Hospital, Amritsar for management for his Liver disease on 07.03.2015. He was advised Blood Tests for which he was referred again to Guru Nanak Dev Hospital, Amritsar on 09.03.2015. His Blood Investigations are pending subject to availability of Test kits at Guru Nanak Dev Hospital, Amritsar. Patient was again referred to psychiatry department of Civil Hospital, Jalandhar on dated 01.08.2015. Treatment for HCV-Reactive state is not available in the Jail Hospital. The patient needs specialist management and follow-up at a tertiary care centre for management of his Liver disease (HCV Reactive). ”

After hearing learned Counsel for the parties, in view of the aforesaid report, this petition is partly allowed and the petitioner is directed

to be released on interim bail for a period of three months from the date of furnishing the bail/surety bonds subject to the satisfaction of the learned trial Court.

Disposed of in the above terms.

September 04, 2015

'dk kamra' /Gagan

**(JASWANT SINGH)
JUDGE**