

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

CRM-M No.32681 of 2015(O&M)

Date of Decision:-25.01.2016

Joginder Pal.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. J.B.S. Gill, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by HC Harbhajan Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Joginder Pal in case FIR No.20 dated 26.02.2015 for offences punishable under Sections 15/61/85 of the NDPS Act, 1985 registered with Police Station Mahilpur, District Hoshiarpur.

There is a recovery of 07 quintals 75Kgs of Poppy Husk, which is concededly commercial in nature.

The petitioner is stated to be in custody since 26.02.2015 and there is no other case under the NDPS Act against the petitioner.

Miscellaneous application bearing **CRM No.35308 of 2015** was filed during the pendency of the petition, seeking bail on health

grounds.

It was stated that the petitioner was acutely diabetic resulting into many complications and was also admitted in Civil Hospital, Hoshiarpur twice over.

On a direction passed by this Court regarding determination of his health condition, an affidavit dated 23.01.2016 of Amrik Singh, Superintendent Jail, Hoshiarpur has been filed in Court, taken on record. It is submitted that a medical board comprising specialist was constituted and vide conclusions dated 22.01.2016 reads as under:-

*“ **Conclusion:-** The board is of the opinion that he is a case of DM2(uncontrolled) with post circumcision wound infection with sepsis. He was also admitted previously at Civil Hospital Hoshiarpur twice and he is again presented with similar complaints and complications. So he requires further investigations and treatment at Govt. Medical College, Amritsar/PGI Chandigarh.*

*Sd/-
Dr. Sunil Bhagat
Date 22.01.2016*

*Sd/-
Dr. Neelam
Date 22.01.2016*

*Sd/-
Dr. Sarabjit Singh
Date 22.01.2016 ”*

In the light of the aforesaid conclusions recorded by the Medical Board, the petition is disposed of with a direction that the petitioner be released on interim bail for a period upto 30.04.2016 subject to the satisfaction of the trial Court.

Disposed of in the above terms.

**(JASWANT SINGH)
JUDGE**

January 25, 2016
Vinay