

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

CRM-M-7464-2016 (O&M)

Date of decision : 08.11.2016

Dhian Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Tarun Vir Singh Lehal, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Sham Lal.

JITENDRA CHAUHAN, J.

The petitioner seeks concession of regular bail under Section 439 of the Code of Criminal Procedure, in FIR No.201 dated 18.12.2013, registered at Police Station Bhogpur, Jalandhar, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard.

This is the fourth bail petition under Section 439 Cr.P.C. No change of circumstances in favour of the petitioner has been pointed out. Therefore, this Court is not inclined to accept the prayer for grant of regular bail to the petitioner.

However, it is contended that the petitioner is suffering from Hepatitis C/HCV +ve and also suffering from recurrent effective disorder with dissociative disorder, a kind of mental depression. Further states that

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despite the treatment available in the jail, the condition of the petitioner is not improving. Earlier also, the petitioner was admitted to interim bail on two occasions, vide orders dated 26.03.2015 (Annexure P-4) and dated 04.09.2015 (Annexure P-5). The petitioner did not misuse the concession of bail. He is around sixty years of age.

Learned State counsel, on instructions, submits that there is recurrence of disease and deterioration in the health condition of the petitioner. He further states that opinion of the doctor was also sought who has stated that though the treatment is available in the jail, but has admitted the fact that there is recurrence of illness and the patient is not improving. Further, certain blood tests from the laboratories outside the jail premises have also been recommended.

In view of the above, this Court feels that the petitioner requires specialized treatment along with care and assistance of the family members.

Accordingly, the Court is inclined to grant interim bail to the petitioner for a period of six months from the date of his release, subject to his furnishing adequate bail bonds/surety bonds, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner shall surrender back to the jail authorities on the date and time to be noticed by the releasing Court.

The petition is disposed of in the above terms.

08.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No