

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24533-2017

Date of decision: 09.08.2017

Vinod Sharma @ Lucky

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. HS Grewal, Addl. A.G., Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this third petition under Section 439 Cr.P.C., the petitioner has prayed for grant of interim bail for a period of two months in case FIR No. 53 dated 07.06.2016, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act at Police Station Bullowal, District Hoshiarpur, on medical grounds for performing surgery of his left eye.

2. Learned counsel for the petitioner contends that petitioner is suffering from Glucoma and during the period of earlier interim bail granted to the petitioner w.e.f. 25.04.2017 to 25.05.2017, the petitioner got operated for right eye in which he had completely lost his vision and now the petitioner has to be operated for his left eye. The operation of left eye of the petitioner is very much necessary and urgent otherwise he will lose vision of this eye too.

3. Learned counsel for the State has not controverted the aforesaid

submissions made by learned counsel for the petitioner.

4. Considering the overall facts and circumstances of the case and the order dated 22.05.2017 (Annexure P-13) passed by a Co-ordinate Bench of this Court in CRM-17441-2017 in CRM-M-11331-2017, wherein observation has been made that according to certificate/documents placed on record, even the vision in the left eye of the petitioner was deteriorating at an alarming rate and photocopy of affidavit of Sh. Harbhajan Singh, Deputy Superintendent, Central Jail, Hoshiarpur, submitted in aforesaid CRM-M-11331-2017, this Court finds that it is a fit case for grant of interim bail to the petitioner so that he could get operated his left eye.

5. Resultantly, the instant petition is accepted and the petitioner is ordered to be released on interim bail for a period of two months from the date of his actual release, subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur.

6. On the expiry of the period of two months for which he is being granted interim bail, the petitioner shall surrender before the jail authorities.

August 09, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No