

Sr. No.220
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-42932 of 2016 (O&M)

Date of Decision: 09.01.2017

Gurmail Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Ram Kumar Chauhan, Advocate,
for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Gurmail Singh petitioner has filed the instant petition under Section 482 Cr.P.C. praying for issuance of directions to the official respondents No.2 and 3 to afford him medical treatment at PGI, Chandigarh.

Pleadings on record would indicate that the petitioner having faced trial was convicted by the learned Special Judge, Hoshiarpur for offence under Section 12 of the Prevention of Corruption Act and was sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.2000/- and in default of payment of fine to further undergo rigorous imprisonment for three months. Against the judgment of conviction, petitioner preferred Criminal Appeal No.2498-SB of 2004 in this Court and the appeal was dismissed on 25.02.2015 affirming the conviction. However, sentence imposed upon the petitioner was reduced from two years to one year. Special Leave petition having been filed by the petitioner, the Hon'ble Supreme Court dismissed the same and upheld the sentence imposed by this Court.

was called for from the Jail Authorities regarding the medical condition of the petitioner. Suffice it to notice that the petitioner is currently confined at Central Jail, Hoshiarpur.

In response to the petition, learned State counsel has filed in Court today a reply by way of an affidavit of Dalbir Singh, Superintendent, Central Jail, Hoshiarpur on behalf of respondents No.1 to 3 along with proceedings of the medical Board at Annexure R-1. The reply has been taken on record and a complete copy has been furnished to learned counsel for the petitioner.

Perusal of the reply would reveal that a medical Board was constituted by the Senior Medical Officer, Civil Hospital, Hoshiarpur on 26.12.2016 consisting of two Ortho specialists and one Medical Specialist. As per report of the medical Board, the petitioner was referred to the PGI, Chandigarh for opinion and management. Consequently, petitioner was even examined at PGI, Chandigarh and it was opined to be a case of low backache and breathlessness. The doctors at PGI, Chandigarh advised for MRI spine and cardiology opinion and have now fixed the date i.e. 28.03.2017 for further course of action and for conduct of necessary tests.

In the reply, a positive stand has been taken that the petitioner would be taken to PGI, Chandigarh on the date already given i.e. 28.03.2017 for affording necessary treatment and for conduct of tests as per advice of the PGI doctors. Further undertaking has been furnished that in case of any emergent situation, the petitioner would be immediately referred to PGI, Chandigarh for necessary treatment/action.

In the light of such positive and categorical stand taken on behalf of the State authorities, this Court is convinced that necessary and

specialized medical treatment is being afforded to the petitioner.

No further directions are required to be passed in the petition
and the same is accordingly disposed of having been rendered infructuous.

09.01.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No