

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

CRM-M-46820 of 2017 (O&M)

Date of decision: 22.12.2017

Lovepreet Kaur

...Petitioner

Versus

UT Chandigarh

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Agnihotri, Advocate for the petitioner.

Mr. Sukant Gupta, APP for UT Chandigarh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.83 dated 16.06.2016, registered under Sections 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and Sections 201, 489-C and 120-B of IPC, at Police Station Maloya, Chandigarh.

In pursuance of order dated 14.12.2017, learned counsel for UT Chandigarh has circulated the medical report of the petitioner issued by the Senior Medical Officer, Model Jail, Chandigarh which is taken on record as Mark 'A', wherein it has been stated that the petitioner was diagnosed as a case of acynaatic congenital heart disease, ostium secundum atrial septal defect with left to right shunt, Mod TR, Mod PAH,

NSR, NYHAQ Class II, Normal LV function. After the surgery, the petitioner is getting post operative treatment from the jail dispensary as per prescription prescribed by the cardiologist.

Learned counsel for the petitioner states that earlier the petitioner was allowed interim bail and she did not misuse the concession of the same.

Learned counsel for the UT Chandigarh on the strength of medical report opposes the interim bail.

Heard.

Considering the fact that the surgery was carried out on the petitioner. During the post operative treatment period and for early recovery, apart from the emotional support of the family, congenial atmosphere is also required. Accordingly, the petitioner is allowed interim bail for a period of three months from the date of her release, on her furnishing fresh bail/surety bonds to the satisfaction of the CJM/Duty Magistrate, concerned. The date of release and surrender is to be indicated by the releasing Court.

Disposed of accordingly.

22.12.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No