

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26811-2018 (O&M)

Date of decision:21.12.2018

Pawan Kumar

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Kuldeep Singh, J. (Oral)

Petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.114 dated 06.08.2017 (Annexure P-1) under Section 22 of NDPS Act, 1985, registered at Police Station Dialpura, District Bathinda.

Recovery in this case is commercial. Therefore, in view of bar of Section 37 of NDPS Act, bail cannot be granted. However, this Court had considered the medical condition of the petitioner and granted interim bail to the petitioner vide order dated 21.09.2018 and that order was extended from time to time. Now a period of more than 3 months has elapsed. Petitioner seeks extension for one more month.

I am of the view that the petitioner has already been granted bail for three months. The petitioner was suffering from non-healing ulcer over legs. Normally in three months, even after surgery, one can recover from the said

disease. Therefore, there is no ground to extend interim bail.

Petitioner is directed to surrender before the jail authorities. However, the jail authority shall get the petitioner examine from jail Doctor and if necessary, they can examine the petitioner from nearby Civil Hospital. If the petitioner still required treatment from outside, he can always approach this Court on the basis of medical record with appropriate prayer.

Accordingly, present petition is dismissed.

(KULDIP SINGH)
JUDGE

21.12.2018
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Whether speaking/ reasoned:	Yes
Whether Reportable:	No