

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26344-2019

Date of Decision: 04.09.2019

Baljit Singh @ Bhola

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Partap Singh, Advocate, for the petitioner.

Mr. Rajat Bansal, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Though the order of this Court dated 08.08.2019 is still not seen to be complied with in *toto* by the Chief Medical Officer/Civil Surgeon/Senior Medical Officer, Incharge, of the District Hospital, SAS Nagar, Mohali, learned State counsel has produced in Court today a photocopy of a detailed opinion/report given by the Medical Board on 26.08.2019, wherein it is recorded that though the petitioner, Baljit Singh @ Bhola, came to the hospital on 17.07.2019, he was not carrying his full medical report, after which he was advised to bring the relevant record and he thereafter appeared on 26.08.2019.

On scrutiny of the record, it was found that he had been under treatment from the Civil Hospital, Dera Bassi, since June 2017 and the Government Medical College and Hospital, Sector 32, Chandigarh, since June 2018; but as per the the said report he had never been advised any bed rest by any doctor and had never been admitted to any hospital.

It has further been opined by the Board that he is fit to appear in Court.

As already recorded in the order of this Court dated 11.07.2019, the petitioner is seeking the concession of anticipatory bail despite the fact that he did not

appear before the trial Court even after interim bail was granted to him by this Court on 20.03.2019, upon him having filed CRM-M-12931-2019.

Counsel for the petitioner had stated that that was due to the reason that he was suffering from acute backache as also prostatitis.

The opinion of the Medical Board being as aforesaid, with the petitioner never advised any bed rest either in the years 2017-18, and with nothing to show that he had ever been advised any bed rest after 20.03.2019, I see absolutely no reason to entertain this petition, which is consequently dismissed.

However, the orders dated 05.08.2019 and 08.08.2019 still not having been fully complied with by the Chief Medical Officer/Civil Surgeon/Senior Medical Officer Incharge of the District Hospital, Phase 6, Mohali, and the affidavit, as had been directed to be filed vide the order dated 08.08.2019, still not filed by the person in-charge of the said hospital, (whether he be the Civil Surgeon/Chief Medical Officer or the Senior Medical Officer Incharge), giving therein an explanation as had been sought by this Court, adjourned to 23.09.2019.

If the said affidavit is still not filed, giving a detailed explanation, as had been called for vide the order of this Court dated 08.08.2019, the Chief Medical Officer, District Hospital, Mohali, shall remain personally present in Court on the next date of hearing itself, failing which this Court shall have no choice but to initiate contempt proceedings and to summon the Director General of Health Services, Punjab.

A copy of this order be given to learned counsel for the State under the signatures of the Bench Secretary of this Court.

September 04, 2019

nitin/vcgarg

Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes

Yes