

CRM-M-3557 of 2021

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

(Proceedings through video conferencing/WhatsApp)

CRM-M-3557 of 2021
Date of decision: 01.03.2021

Navdeep Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Sandeep Arora, Advocate, for the petitioner.
Mr. V.G. Jauhar, Sr. DAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

I have heard the learned counsel for the parties and perused the paper-book.

Through this third petition under Section 439 Cr.P.C. petitioner seeks the grant of interim bail in FIR No.349 dated 20.12.2019 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Rajpura, District Patiala.

In compliance with the order dated 19.02.2021 passed by this Court, learned State counsel has filed short affidavit alongwith medical reports of the petitioner. The same are taken on record.

Due to complaint of stomach pain made by the petitioner, he was referred to Rajindra Hospital, Patiala on 31.1.2021 by the Medical Officer of Central Jail. A perusal of medical report dated 04.02.2021

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(Annexure R-1) issued by the Medical Superintendent, Rajindra Hospital, Patiala, shows that the petitioner was admitted in emergency surgery on 31.1.2021. After examining the stomach pain of the petitioner, stones were found in his kidney and urinary bladder and he was advised surgery by the Urology Department. During Pre-Anesthesia Checkup (PAC), the petitioner was found to be diabetic for which Medicines Department advised for sugar monitoring for five days. A perusal of medical report dated 10.02.2021 (Annexure R-2) issued by the doctors of Department of Surgery, Rajindra Hospital, Patiala shows that the petitioner has left the hospital against medical advise on 10.2.2021 at 1.35 p.m. He went back to Central Jail, Patiala, after file closing procedure along with police in evening of the same day. A perusal of medical report dated 20.2.2021 (Annexure R-3) issued by the Medical Officer, Central Jail, Patiala shows that the petitioner was admitted at the aforesaid Rajindra Hospital, on 31.1.2021 until 10.2.2021 for pain abdomen and diagnosed as stone in kidney and urinary bladder. He was advised surgery cystolithalxy, custolitnotripsy after being done on 10.2.2021 that the petitioner is fit for surgery. But the petitioner got LAMA (Left Against Medical Advise) on 10.2.2021 at 1.35 p.m. This clearly shows that the petitioner is not interested in getting operated for the removal of stones from his kidney, rather he is only interested in seeking interim bail on medical ground. In this view of the matter, I am of the considered opinion that the petitioner is not entitled for grant of interim bail as he himself left the hospital against medical advise on 10.2.2021.

In view of the above, this petition is dismissed. However, it is

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made clear that the petitioner would be at liberty to undergo follow-up treatment for his medical problem(s) and if such a request is made by the petitioner to the jail authorities, the same shall be considered and taken up further by the jail authorities for providing better medical facility/treatment to the petitioner, in accordance with law.

March 01, 2021
R.S.

(Ashok Kumar Verma)
Judge

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