

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

(Through Video Conferencing)

CRM-M-6311-2021

Date of Decision: 01.04.2021

MOHAMAD ASHRAF

.....*Petitioner*

V/s.

STATE OF PUNJAB

.....*Respondents*

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. J.S. Bhinder, Advocate,
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

This is the third petition filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case FIR No.298 dated 13.10.2019 (Annexure P-1) under Sections 22, 25, 29, 61, 85 of the NDPS, 1985 registered at Police Station Bhawanigarh, District, Sangrur (Punjab).

On a pointed query put to the learned counsel for the petitioner as to what were the changed circumstances pursuant to the dismissal of the previous two petitions filed under Section 439 of the Cr.P.C, 1973 on 27.05.2020 and 10.12.2020 respectively by this Court which would warrant acceptance of the instant petition, he has miserably failed to satisfy this Court *qua* the same. He has further submitted that the mother of the petitioner is suffering from depression and diabetes. In support of his submissions, he has invited the attention of this Court to document (Annexure P-2) i.e. the medical certificate stated to have been given by the Gandhi Heart Clinic, Kheri Road, Patiala.

This Court is constrained to observe a very strange fact that the column bearing the name, age and gender of the patient has been left blank in the said medical certificate, moreover, the doctor who is a Cardiologist has chosen to give medical certificate with respect to the psychiatric condition as well as the diabetic condition of a patient. The said certificate raises eyebrows and deserves to be trashed away as it is not supported by any medical record of the petitioner’s mother.

In view of the aforesaid, I do not find any merit in the present petition and the same is dismissed as such.

April 1, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>