

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

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CRM-M-37286-2020.

Date of Decision: 15.02.2021.

Bhajan Lal

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Piyush Sharma, Advocate for petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 439 Cr.P.C. has been moved by petitioner-**Bhajan Lal** for grant of regular bail in case FIR No.88 dated 25.06.2019 under Section 15 of NDPS Act (Section 29 of NDPS Act and Sections 420, 464, 465, 467, 468 and 471 IPC added lateron), registered at Police Station Kartarpur, District Jalandhar Rural.

Learned counsel for the petitioner submits that petitioner is suffering from multifarious ailments and requires treatment from Super Speciality Hospital. He further urges and confines his prayer to the extent that instant petition is disposed of and petitioner is released on interim bail for a period of three months.

Status report dated 17.01.2021 by way of affidavit of Narpinder Singh, PPS, Deputy Superintendent, Central Jail, Kapurthala, on behalf of Superintendent, Central Jail, Kapurthala is already on record, in terms of which, medical/health status report of petitioner is as under:-

“Patient Bhajan Lal S/o Godha Ram, 45y is a known case of TB with HIV with Paraplegia and bed sores as diagnosed at GNDH Amritsar on 21.11.2020. He was referred to GNDH Amritsar on 26.11.2020 from Central Jail, Kapurthala. As per record available, he had been referred to PGI, Chandigarh from GNDH Amritsar on 04.12.2020, and patient was admitted at PGI, Chandigarh. From where he was sent back to Civil Hospital, Kapurthala on 11.01.2021. Then patient was again referred to GNDH Amritsar on same day.

As per Treatment report dated 14.01.2021 from GNDH Amritsar as above case Bhajan Lal S/o Gonda Ram complaint of Central Jail, Kapurthala was admitted vide CR No.79448 (OD ticket-621) dated 12.01.2021 to the emergency surgery by the EMO, GNDH Amritsar with complaint of Unable to move lower limb and bed sore. Later patient was shifted to Surgery Unit – I as per prisoner duty roster and is under treatment from surgery unit – I. Patient is having sacral bed sores and previous # D6 for which he was admitted to PGI, Chandigarh (DOA – 10.12.2020, DOD 11.01.2021). Patient was referred from PGI to attached CH Kapurthala, Later EMO, CH Kapurthala referred that case to GMC/GNDH Amritsar vide Ref No.0044 Dated 11.01.2021. At present patient is unable to move lower limb and is having sacral bed sores for which plastic surgery opinion and ortho Department along with general surgery Department in treating the case.”

Learned State counsel has given concurrence to the factum of ailments of the petitioner and submits that he has no objection if the

In view of above, instant petition is disposed of and petitioner- **Bhajan Lal** is ordered to be released on interim bail for a period of three months, subject to his furnishing personal bond and surety bond to the satisfaction of Trial Court/Duty Magistrate, Jalandhar, as the case may be. The petitioner is directed to surrender before Superintendent, Central Jail, Kapurthala, on 15.05.2021 at 10:00 AM sharp.

(LALIT BATRA)
JUDGE

15.02.2021
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No