

CRM-M-38005-2020

Date of Decision : 08.04.2021

Dr. Anil Kapoor

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Prabhjit Singh, Advocate
for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

AMOL RATTAN SINGH, J (ORAL)

On 16.12.2020, the following order had been passed :-

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of regular bail, upon FIR no.181, dated 23.10.2020, having been registered at Police Station Urban Estate, Patiala, alleging therein the commission of offences punishable under Sections 3/5/6/18/24/29 of the PC & PNDT (Regulation and Prevention of Misuse) Act, 1994, Sections 420/308/120-B of the IPC and Sections 27(b)(ii)/28-A of the Drugs and Cosmetic Act, 1940.

Mr. Ghai, learned Senior Counsel appearing for the petitioner, submits that the petitioner having suffered a heart attack while in custody after having been arrested on 22.10.2020, though he has now been discharged from the Government Rajendra Hospital at Patiala, he is now admitted to the jail hospital, with him being 62 years old and with no other criminal case registered against him and further, in any case his custodial interrogation is not required.

Upon query to Mr. Mehta, learned counsel for the State, he submits that as per his instructions, the report under Section 173 of the Cr.P.C. has been prepared though it is still to be submitted to the competent court.

He also does not deny (again on instructions), that there is no other criminal case registered against the petitioner.

That being so, without making any comment on the actual merits of the case, looking at the age of the petitioner and the fact that he suffered a heart attack, with the report under Section 173 of the Cr.P.C. also having already been prepared, the petitioner is directed to be admitted to interim bail upon him furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/CJM/Duty Magistrate concerned, till the next date of hearing before this court.

Adjourned to 8.4.2021.

Today, learned State counsel on instructions from SI Swaran Singh submits that the report under Section 173 of Cr.P.C. has been submitted to the competent Court.

That being so, there would seem to be no reason for not making the aforesaid order absolute.

Ordered accordingly.

The petition is therefore allowed subject to the condition, naturally, that the petitioner shall not indulge in any kind of medical procedures etcetera prohibited by law, under any provisions of law whether it be under the provisions of the PC and PNDT (Regulation and Prevention of Misuse) Act, 1994, or under the Drugs and Cosmetics Act, 1940 or under any other statutes whatsoever.

(AMOL RATTAN SINGH)
JUDGE

April 08, 2021
Manpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No