

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

Sr. No.131

CRM-M-15938 of 2022

Date of Decision: 21.04.2022

Amrik Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Gurmohan Singh Bedi, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of interim regular bail to the petitioner on medical grounds, in case FIR No.66 dated 29.05.2021, registered under Sections 302, 307, 34 IPC, Sections 25, 27, 54 and 59 of Arms Act, 1959 at PS Sadar, Gurdaspur

Learned counsel for the petitioner submits that the petitioner is in custody in the aforesaid FIR since 30.05.2021 and while being in custody, the petitioner has been suffering from recurring chest pain, owing to which, he has also been admitted to the hospital various times. The petitioner is a senior citizen aged about 75 years, he requires constant medical care and in the absence of the same, the petitioner is at the risk of cardiac failure and the facilities in the jail and the medical staff are not sufficiently equipped to prevent any cardiac emergency. On account of his medical condition, the petitioner had approached learned Sessions Court, Gurdaspur seeking concession of interim regular bail, but his application was declined vide order dated 28.03.2022 (Annexure P-5), in spite of the fact that the specialist Cardiologist had specifically mentioned that the

petitioner needs constant and intensive care in view of his chest pain and fluctuating blood pressure. Aggrieved of the said order dated 28.03.2022, the petitioner has come up before this Court seeking concession of interim regular bail on the ground of his medical condition.

Learned State counsel has filed custody certificate of the petitioner, which is taken on record and opposed the request made on behalf of the petitioner on the ground of seriousness of the crime committed by him and also that he is getting proper medical treatment at Central Jail, Amritsar.

Heard.

A perusal of the file would reveal that vide order dated 02.03.2022 (Annexure P-3), learned Sessions Judge, Gurdaspur had called for medical report of the petitioner, through Superintendent, Central Jail, Amritsar and as per the said medical report, the petitioner was admitted in Guru Nank Dev Hospital, Amritsar on 08.10.2021 to 06.11.2021 with the complaint of recurrent chest pain, nausea and GBW and he also started complaining of chest pain and deafness in right ear for last one month. On 07.03.2022, the petitioner was referred to Medicine Department, GNDH, Amritsar for further evaluation and management and at the said hospital, the petitioner was examined in OPD Medicine Department, Routine Blood Investigation and ECG was carried out and was advised oral medications along with follow up in the Medicine Department on 08.03.2022.

After receiving the said report, vide order dated 08.03.2022 (Annexure P-4) passed by learned Sessions Judge, Gurdaspur, the Superintendent, Central Jail, Amritsar was again directed to get the petitioner examined from Cardiologist, Guru Nanak Dev Hospital, Amritsar

and in compliance thereof, the Superintendent, Central Jail, Amritsar forwarded the report bearing No.370 dated 26.03.2022 of Medical Officer, Central Jail, Amritsar, wherein it was reported that the petitioner is known case of Cardiac Disease with PTCA stenting in 2012, Diabetes Mellitus and Hypertension. The petitioner was admitted at Central Jail Hospital, Amritsar on 23.09.2021 for complaint of chest pain and was admitted at Medicine Department, GNDH, Amritsar on 08.10.2021 owing to chest pain, nausea and GBW and was discharged on 06.11.2021 on oral medicines. Thereafter, the petitioner remained admitted at Central Jail Hospital, Amritsar and was discharged on 17.01.2022. He was again referred to Medicine Department, GNDH, Amritsar on 07.03.2022 on account of complaint of chest pain, swelling in bilateral foot, palpitations and difficulty in breathing. He was advised various investigations and prescribed oral medicine. ECG was done which reveals inferior infarct. He was again referred to Medicine Department, GNDH, Amritsar on 08.03.2022, where he was examined and prescribed oral medicines. He was advised Cardiologist opinion for which he was referred to Cardiology Department, GNDH, Amritsar on 12.03.2022 and again on 21.03.2022. He was examined and ECG was done, which revealed LVH old Inferior Infarct and ST elevation. Blood pressure was recorded as 190/100 mmHg. The petitioner was prescribed oral medicines and advised the following:-

“Patient needs constant and intensive care in view of his fluctuating BP and repeated chest pains with preferably constant nursing care also, for which he will be referred to Medicine Department, GNDH, Amritsar for follow up and further management.”

Taking into consideration the aforesaid medical reports of the petitioner and to enable him to get appropriate and constant medical care, this Court thinks it appropriate to grant the concession of interim regular bail to the petitioner for a period of one month, subject to the condition that he shall furnish two bail/surety bonds to the satisfaction of the trial court/Duty Magistrate/Chief Judicial Magistrate concerned and will surrender before jail authorities concerned after expiry of the said period.

It is further directed that the petitioner shall not directly or indirectly, influence any witness during his bail period and if so happens, the State shall be at liberty to seek cancellation of interim regular bail granted to the petitioner.

Ordered accordingly.

The petition stands disposed of.

**(SANT PARKASH)
JUDGE**

21.04.2022
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No