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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20176-2020 (O&M)
Date of Decision:15.03.2022

Pappu

.. Petitioner

Vs.

Union Territory, Chandigarh

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Rajeev Anand, A.P.P. U.T. Chandigarh.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this third petition for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.58 dated 17.03.2019 registered under Section 22 NDPS Act, 1985 at Police Station East Sector-26, Chandigarh and with further prayer to release him on interim regular bail for a period of six weeks keeping in view his medical status (Annexure P-4).

The petitioner had also raised additional ground of his poor health to seek the concession of interim regular bail and vide order dated 24.07.2020, time was granted to the learned counsel for U.T. Chandigarh to verify his health status. In response, the medical report of the petitioner issued by Model Jail, Chandigarh was placed on record and considering the same, the concession of interim regular bail was extended to him vide order dated 15.10.2020 till 12.11.2020 to enable him to seek better medical advice. Later on, the petitioner was operated upon on 03.11.2020 and his interim regular bail was extended from time to time and as per the discharge

summary dated 26.09.2021 issued by Landmark Hospital, Sector-33C, Chandigarh, the petitioner was advised bed rest for four weeks, and the period was again extended for another four weeks. The ld. U.T. counsel on 12.11.2021 had fairly stated before this Court that the petitioner is unable to stand on his own after his surgery, but on 21.02.2022, it was pointed out by him that the health condition of petitioner has improved, who is able to walk with support.

Today, learned counsel for the petitioner has again prayed for extension of interim regular bail and has argued that the petitioner has again been advised admission in hospital, however, the ground is not supported with any medical opinion/prescription.

The prayer is vehemently opposed by the learned U.T. Chandigarh, who has argued that the petitioner is misusing the concession by seeking extension of time, as presently, he is alright and is involved in two more other cases. According to him, the trial is at the final stage.

Considering the above background, nature of the case as well as the stage of the trial and the fact that the petitioner's health has improved, this Court does not find any reason to further extend the concession of interim regular bail.

Resultantly, the petition along with miscellaneous applications seeking extension of time are dismissed and the petitioner is directed to surrender forthwith.

15.03.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No