

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

CRM-M-29044-2020

Date of decision: 27.09.2022

Balwinder Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Guninder Singh Brar, Advocate,
for the petitioner.

Mr. Subhash Godara, Addl. A. G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.02 dated 05.01.2020, registered at Police Station Maloud, District Khanna, under Section 21 NDPS Act, 1985.

Short reply dated 22.09.2022, by way of affidavit of the Superintendent, Central Jail, Ludhiana, filed in the Court today, is taken on record.

At this stage, learned counsel for the petitioner restricts his prayer to the grant of interim regular bail to the petitioner for a period of two months on medical grounds.

Learned counsel for the petitioner submits that the petitioner is suffering from Chronic Diabetes Mellitus and has also been getting dialysis treatment for chronic kidney disease for the last few years. He further submits that the petitioner has been admitted in the jail hospital w.e.f. 27.07.2022.

On the other hand, learned State counsel, while opposing the grant of interim regular bail to the petitioner, submits that recovery of contraband effected in the present case, falls under the 'commercial quantity'. However, he does not dispute the fact that the petitioner is suffering from various ailments.

I have heard the learned counsel for the parties.

This Court, vide order dated 08.08.2022, had requested the Civil Surgeon, Ludhiana, to submit a detailed report regarding the health condition of the petitioner.

In compliance thereof, the requisite report has been filed. A perusal of the report would show that a medical board consisting of 05 specialist medical officers was constituted and it was found that the petitioner has been suffering from Chronic Kidney Disease, Diabetic Mellitus, Diabetic Nephropathy, Urinary Tract Infection, Anaemia and Hypertension.

The jail authorities has also obtained the medical status report of the petitioner from the Senior Medical Officer, Jail Hospital, Central Jail, Ludhiana. A relevant extract thereof would read as under:

“It is stated that UT Balwinder Singh S/o Mishra Singh is suffering from Chronic Kidney Disease with Diabetic Mellitus-II, Diabetic Nephropathy, Urinary Tract Infection, Anemia and Hypertension as per the medical examination report by the board of Doctors of Civil Hospital, Ludhiana. He is under treatment for the above-said ailments for the past five years as per record. He is under dialysis treatment for chronic kidney disease for past few years. His blood urea and creatinine levels are monitored for dialysis treatment to prevent further kidney damage. He was sent to Civil Hospital, Ludhiana, multiple

times for monitoring of health, blood urea and creatinine levels and for the further course of treatment from Medical and Surgical Specialist.”

Keeping in view the medical status of the petitioner, he is ordered to be released on interim regular bail for a period of two months from the date of his release, subject to him furnishing the bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Ludhiana.

The petitioner shall surrender before the concerned Court after the expiry of period of the interim bail.

Disposed of.

27.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No