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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33208-2022 (O&M)
Date of decision: 09.09.2022

VARUN BHOGAL

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manuj Nagrath, Advocate
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

CRM-33996-2022

Prayer in this application is for placing on record the medical record of the petitioner herein as Annexures P-16.

The application is allowed. The document Annexures P-16 is taken on record.

CRM-M-33208-2022

This is a third petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.0433 dated 27.04.2019, registered under Sections 21 and 29 of the NDPS Act, 1985, at Police Station Chandni Bagh, Panipat, Haryana.

Learned counsel for the petitioner herein would pray for extension of interim bail to the petitioner that has been allowed to the

petitioner by citing that the petitioner has undergone surgery on 22.08.2022 and is a diabetic patient. He would submit that as per the medical record (Annexure P-16), doctors have advised that the petitioner would require daily dressing of wound for a period of ten days after the surgery. He would submit that petitioner has been advised bed rest till 22.10.2022 taking into account his uncontrolled diabetes.

Learned State counsel would oppose the grant of extension of interim bail to the petitioner by contending that he is involved in peddling of *heroin* as he has been caught with possession of 722 grams of *heroin* and, therefore, the benefit of any further interim bail would jeopardise the trial, which is being delayed only on account of the fact that the petitioner herein has not put in an appearance. She would apprise this Court that the next date of hearing before the trial Court is 18.10.2022.

I have heard learned counsel for the parties and have also perused the medical record of the petitioner as has been placed on the record.

The argument as raised by learned counsel for the petitioner herein that doctors have advised that the wound would require daily dressing for a period of ten days after the surgery conducted on 22.08.2022, is of no help as those ten days have already lapsed on 01/02.09.2022. However, since the trial itself is fixed on 18.10.2022, I deem it appropriate to direct the petitioner herein to surrender before the Jail authorities on 17.10.2022 morning. This would give him sufficient time for recovery. It is made absolutely clear that in case, the petitioner does not surrender on the date so fixed, the State is at liberty to secure his presence.

The instant petition is disposed of in the above terms.

CRM-26841-2022 also stands disposed of.

09.09.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

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