

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

220

**CRM-M-51776-2021
Date of decision : 12.01.2022**

KAMALPREET SINGH @ KAMAL

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Ms. Arti Kaur, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

(Through video conferencing)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.72 dated 03.11.2019 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Balachaur, District SBS Nagar.

On the last date of hearing, the following order was passed:-

Learned counsel for the petitioner submits that though the present petition has been filed for the grant of regular bail but in fact the intention of the petitioner is that as he is HIV positive, and needs medical attention, which facility is not available in the jail premises, petitioner be allowed interim bail on medical grounds so as to undergo treatment.

Before any order is passed on the said plea, let the respondent-State file a status report qua health status of the petitioner after getting him examined by the Board of Doctors of Dayanand Medical

College, which Board of Doctors will opine about the medical health of the petitioner with clear opinion whether the petitioner is not fit to be retained in the jail premises or the petitioner can be given the medical aid while in jail as well.

Adjourned to 12.01.2022.

Today, learned State counsel has produced the report of the Board of Doctors of Dayanand Medical College, according to which, the petitioner, at this stage, can be treated with in the jail premises. Relevant paragraph of the report is as under:-

“The patient can be started on HAART through ICTC Centre in the jail premises itself and can be kept on regular follow ups and monitoring (As per NACO Guidelines) at the concerned ICTC Centre”.

Faced with this, learned counsel for the petitioner prays that she be allowed to withdraw this petition with liberty to again approach this Court, in case, the condition of the petitioner deteriorate and he needs medical attention which can only be provided outside the jail premises.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

12.01.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No