

204.

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

CRM-M-47602-2022 (O&M)

Date of Decision: 16.11.2022

VARUN BHOGAL

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gautam Dutt, Advocate, for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

JAISHREE THAKUR.J (Oral)

CRM-40066-2022

This is an application for placing on record the medical record of the petitioner, email sent to the jail authorities, Panipat and the photographs showing the surgery of stent exchanged, as Annexures P-15 to P-17.

For the reasons stated in the application, the same is allowed. The documents Annexures P-15 to P-17 are taken on record, subject to all just exceptions.

CRM-M-47602-2022

This is 4th petition that has been filed by the petitioner under Section 439 Cr.P.C. for grant of interim bail on medical ground. The petitioner, who has been cited as an accused in FIR No.433, dated 27.04.2019, under Sections 21 and 29 of NDPS Act, 1985, has been seeking interim bail on the ground that he was suffering from chronic pancreatic problem. He had undergone surgical intervention on 22.08.2022 and was to

surrender thereafter, however, sought extension in time to surrender. The time stood extended for another 10 days. Since the petitioner did not surrender in terms of order dated 09.09.2022, he approached this Court seeking further extension which this Court was not inclined to give considering the fact that he stood nominated as an accused in a recovery involving 720 grams of heroin. By an order dated 17.10.2022, the petitioner was directed to surrender before the jail authorities. Instead of surrendering, it appears that the petitioner underwent another procedure at Fortis Hospital, Ludhiana.

Today, learned counsel appearing on behalf of respondent-State places on record the discharge summary of the petitioner which would reflect that the pancreatic stent stands replaced. The petitioner has been discharged on 20.10.2022 with an advice to take bed-rest for 15 days. He was discharged in a stable condition with a follow-up to be done in OPD after 7 days. As on date, the petitioner is in a stable condition. Reliance has been placed upon the discharge summary. Therefore, this Court is of the view that the petitioner needs to surrender forthwith.

At this stage, learned counsel for the petitioner seeks to withdraw the present petition.

Dismissed as withdrawn.

(JAISHREE THAKUR)
JUDGE

16.11.2022

sanjeev	Whether speaking/reasoned:	Yes/No
	Whether Reportable:	Yes/No