

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

217

2023:PHHC:105396

CRM-M-11497-2023

Date of decision: August 16th, 2023

Jagjit Singh @ Iddu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.P.S. Khaira, Advocate
for the petitioner.

Mr. Subhash Godara, Additional Advocate General,
Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of 08 weeks interim bail to the petitioner on medical grounds in case FIR No.132 dated 12.08.2021 registered under Sections 21, 21-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (to which Sections 18 and 25 of the NDPS Act and Section 25 of the Arms Act, 1959 were added later on) at Police Station P.S. STF, Phase-4, Mohali.

2. On the last date of hearing, learned counsel for the petitioner had prayed for interim bail for eight weeks so that the petitioner could get himself operated for his medical condition.

3. Learned State counsel has filed short reply by way of affidavit of Superintendent, Central Jail, Ludhiana, which is taken on record subject to just exceptions. Learned counsel, while drawing the attention of this Court to the opinion of Senior Medical Officer, Central Jail, Ludhiana, which is annexed as Annexure R-1, has submitted that

tests were carried out on the petitioner and he was diagnosed with Cholelithiasis. Learned State counsel has further submitted that as per the opinion given by the Medical Board, the condition of the petitioner does not require any emergency operation nor is there any immediate requirement of any medical intervention.

4. In the light of the reply filed by the State, this Court is not inclined to extend the concession of interim bail to the petitioner for undergoing surgery as it has not been advised by the Medical Officer. However, at the same time, it goes without saying that in case the petitioner requires any medical intervention in future, the authorities concerned would get him treated, without any delay, as per medical advice.

5. The instant petition stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

August 16th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No