

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

236

CRM-M-19124-2023 (O&M)

Date of Decision: 06.07.2023

BALWINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. PS Sekhon, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of interim regular bail to the petitioner in case bearing FIR No.2 dated 05.01.2020, under Section 21 of the NDPS Act and Sections 22 and 25 of the NDPS Act (added later on), registered at Police Station Maloud, District Ludhiana, on medical grounds.

Learned counsel for the petitioner submits that earlier the petitioner was granted interim bail by the learned trial Court, vide order dated 09.05.2020; that the petitioner surrendered before the Court below on 14.07.2022 and that, thereafter, the petitioner was again granted interim bail by this Court, vide order dated 27.09.2022, which was further extended vide order dated 11.10.2022.

Vide order dated 29.05.2023 passed by this Court, medical status report of the petitioner was called for.

In compliance of the said order, short reply by way of an affidavit dated 02.06.2023 of the Superintendent, Central Jail, Ludhiana, has been filed on behalf of the respondent-State. Along with the short reply, medical status report dated 01.06.2023 of the Senior Medical Officer, Central Jail, Ludhiana, has also been annexed.

As per the aforesaid medical status report, the petitioner is a patient of Chronic Kidney disease, Diabetic Mellitus-II with Diabetic Nephropathy and Hypertension. The relevant extract of the report dated 01.06.2023 would read as under:-

'He was referred to Civil Hospital, Ludhiana on 20.09.2022, 03.03.2023, 07.03.2023, 09.03.2023 and 11.03.2023 for specialist consultation where his blood investigations were done and was advised treatment accordingly. His HB was 7.3, urea was 86 and creatinine was 5.9 and serum uric acid was 8.4. HIS ECG is suggestive of microcytic and Deviation (LAD). On PBF his RBCs were suggestive of microcytic and hypochromic anemia. On general examination, he was pallor with pedal edema for which he was advised treatment, Presently, he is admitted at Jail hospital and on treatment as advised by specialist doctors of higher centers'.

On the other hand, learned State counsel while opposing the prayer for grant of interim regular bail to the petitioner submits that though the petitioner is not well, yet the fact remains that he is being looked after properly by the concerned doctors on regular intervals. Thus, prays for dismissal of the present petition.

I have heard the learned counsel for the parties.

As noticed above and as per the medical status report, the petitioner is 51 years of age and is a patient of Chronic Kidney disease, Diabetic Mellitus-II with Diabetic Nephropathy and Hypertension and undergoing regular treatment.

In view of the above and without going into the merits of the case, the present petition is allowed. Petitioner, namely, Balwinder Singh, is ordered to be released on interim regular bail for a period of one month from the date of his release, on furnishing bail/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/trial Court/Duty Magistrate concerned.

Petitioner is directed to surrender before the authorities concerned immediately after the expiry of the interim regular bail period.

06.07.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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