

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

203

CRM-M-27521-2023
Date of Decision: 01.06.2023

LAKHWINDER SINGH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Paras Talwar, Advocate
for the petitioner.

Mr. Deepanjay Sharma, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking interim bail for a period of two months to the petitioner in case FIR No.49 dated 01.07.2021 registered under Section 302 read with Section 34 of the Indian Penal Code, 1860 at Police Station Tibber, District Gurdaspur.

Learned counsel for the petitioner *inter alia* contends that the petitioner who is aged more than 50 years and is facing trial in the aforesaid case, was suffering from pain in his left flank and on medical examination, was diagnosed with kidney stone. Surgery was advised, whereupon he underwent surgery on 18.05.2023 at PGIMER, Chandigarh, wherefrom he was discharged on 20.05.2023. However, on his way-back he suffered an episode of fainting and had to be further admitted for evaluation and observation. Antibiotics and other medication were extended to him and he was discharged on 22.05.2023. He contends that as per the discharge summary of the petitioner, DJ stent was

required to be removed after four weeks and proper bed rest and post operative care was to be extended to the petitioner. However, the needful was not being done. Consequently, the petitioner prayed for the concession of interim bail. It was contended that even though the petitioner has prayed for interim bail for a period of two months, however, he confines his prayer for an interim bail on health grounds only for a period of four weeks.

Notice was issued to the State directing them to furnish the details as regards the health condition of the petitioner.

Reply by way of a short affidavit of Jiwan Thakur, PPS, Deputy Superintendent, Sub Jail, Pathankot has been filed in court, as per which, the petitioner was referred by the Medical Officer, Sub Jail, Pathankot to Guru Nanak Dev Hospital for diagnosis of left distal ureteric calculus on 28.04.2023 where he remained under treatment till 04.05.2023 and then was referred to PGI, Chandigarh for treatment and management. He was operated upon by the department of Urology, PGI, Chandigarh and DJ stent was placed. The petitioner was duly advised the removal of DJ stent after four weeks and follow up after one week on Wednesday/Saturday. The petitioner was sent again to PGI, Chandigarh for follow up as per the advice of treating doctor. He has been admitted in the PGI, Chandigarh on 31.05.2023 for management and treatment.

A perusal of the aforesaid shows that the medical condition of the petitioner is not yet fully stable and he requires regular follow up and medical treatment.

Accordingly, in the given circumstances, the prayer of the petitioner for seeking an interim bail for a period of four weeks is accepted. The petitioner is thus admitted to interim bail for a period of four weeks from the date of his release

subject to furnishing adequate bail/surety bonds to the satisfaction of the Superintendent/Deputy Superintendent, Sub Jail Pathankot.

Petition stands disposed of accordingly.

01.06.2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

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