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

CRM-M-60559-2022

Date of Decision: 07.02.2023

Sukhjinder Singh @ Gagan Bhalwan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Satnam Singh Gill, Advocate,
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

This is the third petition filed under Section 439 of the Code of Criminal Procedure for grant of interim bail to the petitioner for a period of three months in case bearing FIR No.49, dated 15.03.2021, under Sections 22/29 of the NDPS Act, registered at Police Station Sadar Patiala, District Patiala.

An affidavit has been filed by Harcharan Singh Gill, PPS, Additional Superintendent Central Jail, Patiala on behalf of the respondent/State, which is taken on record.

The aforesaid Officer is also present in Court today in pursuance of the orders passed by this Court on 19.01.2023.

As per the affidavit, it has been so explained by the aforesaid Officer that the orders passed by this Court could not be interpreted properly and therefore, the petitioner was got checked up from the Jail Medical Officer, but now the petitioner has been taken to Government Rajindra Hospital,

Patiala thrice on different dates and all his tests are being conducted. The Officer has also tendered unconditional apology for the aforesaid lapse and has also submitted that proper treatment is being provided to the petitioner from the Government Rajindra Hospital, Patiala and the report of the Jail Medical Officer, referring to the check up being conducted from the aforesaid hospital is also attached as Annexure R-1. He has also assured this Court that the medical requirement of the petitioner especially pertaining to the hepatitis infection will be taken care of in a proper manner.

In view of the aforesaid affidavit filed by the aforesaid Officer and in view of the unconditional apology tendered, this Court deems it fit and proper not to proceed with the contempt proceedings against the aforesaid Officer. Therefore, the contempt proceedings against the aforesaid Officer are hereby discharged.

Learned counsel for the petitioner has submitted that the present petition is for grant of interim bail to the petitioner on the medical ground and in view of the affidavit filed by the Additional Superintendent Central Jail, Patiala that the treatment has been afforded to the petitioner from the Government Rajindra Hospital, Patiala and assurance given by him that the medical treatment will be provided to him in future also, he does not wish to press the present petition and prays for withdrawal of the same.

In view of the above, the present petition is dismissed as withdrawn.

07.02.2023*Bhumika***(JASGURPREET SINGH PURI)****JUDGE**

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |