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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7027-2024
Decided on: 06.03.2024

Nishan Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Balbir Kumar Saini, Advocate
for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
62	28.05.2022	Kot Ise Khan, District Moga	22 of NDPS Act

1. The petitioner under arrest as per the FIR captioned above, had come up before this Court under Section 439 CrPC seeking regular bail on the ground that he is suffering from Diabetes mellitus, coronary artery disease, Acute Coronary Syndrome and Heart problems.
2. After arguing for some time, counsel for the petitioner submits that he would be contended and satisfied if this petition is treated for interim bail on medical ground for limited period at least for six months and he would file a fresh bail petition after surrender.
3. Counsel for the State has filed status report along with medical certificate, which is taken on record. State counsel does not dispute the ground made for interim bail, however opposes the bail by making reference to Annexure R-T/1, by submitting that petitioner is admitted in Modern Jail Hospital, Faridkot and he has been given proper treatment. It would be relevant to reproduce the medical report of the petitioner, which reads as follows:-

Current Medical Status Report			
Inmate’s Name	S/O	Sex	Legal Status
Nishan Singh	Sewa Singh	Male	Undertrial

In continuation of his earlier submitted status medical report
Respected Sir

With reference to above cited subject and on the basis of medical
assessment and perusal of his medical record, it is hereby submitted:-

1. That the said inmate is currently admitted at Jail Hospital Faridkot
since 03.01.2024 for the management of his following Chronic Multiple
Health issues:-

- * Difficulty in breathing
- * Hypertension & Ischemic heart disease
- * Insulin dependent Diabetes Mellitus
- * Non healing Diabetic foot
- * Anemia

2. That he is being provided treatment as per the recommendations
of doctors of higher referral medical centre.

From
Medical Officer
Jail Hospital, Faridkot

4. Counsel for the petitioner submits that he was earlier granted interim bail thrice
on medical ground by this Court vide order dated 13.02.2023 passed in CRM-M-6184-
2023, vide order dated 03.10.2023 passed in CRM-M-48452-2023 and on 08.12.2023 it
was extended till 18.12.2023. The petitioner was directed to surrender on 18.12.2023
and as per the directions of this Court, he had surrendered on time and now his
condition is not stable and he requires immediate treatment for the above said
diseases. Counsel further submits denial of interim bail would cause an irreversible
injustice to the petitioner and family.

5. After carefully analysing the matter, this court is of the considered opinion that
the petitioner is entitled to the interim bail for six months, subject to the condition that
the petitioner shall not press the main petition at this stage and after surrendering, it
shall be open for him to file a fresh bail petition under section 439 CrPC on merits.

6. Without commenting on the case's merits, in the facts and circumstances peculiar
to this case, and for the reasons mentioned above, the petitioner makes a case for
limited period interim bail, subject to the following terms and conditions, which shall
be over and above and irrespective of the contents of the form of bail bonds in chapter

XXXIII of CrPC, 1973.

7. Given above, provided the accused is not required in any other case, the petitioner shall be released on interim bail in the FIR mentioned above, subject to furnishing a personal bond of Rs. Twenty-five thousand (INR 25,000/-) to the satisfaction of the concerned Court/ Judicial Magistrate having the jurisdiction over the Police Station conducting the investigation, and in case of non-availability, any nearest Ilqa Magistrate/duty Magistrate. Before accepting the sureties, the concerned Court must satisfy that if the accused fails to appear in Court, then such surety is capable of producing the petitioner before the Court.

8. On the reverse page of personal bonds, the attesting officer shall mention the permanent address of the petitioner along with the phone number linked with the AADHAR card, the other phone numbers (if any), and e-mail (if any). In case of any change in the above particulars, the petitioner shall immediately and not later than 30 days from such modification, intimate about the change to the concerned Police Station and the concerned Court.

9. The petitioner shall not influence, browbeat, pressurize, make any inducement, threat, or promise, directly or indirectly, to the witnesses, the police officials, or any other person acquainted with the facts and the circumstances of the case, to dissuade them from disclosing such facts to the police, or the court, or to tamper with the evidence.

10. Any Advocate for the petitioner and the Officer in whose presence the petitioner puts signatures on personal bonds shall explain all conditions of this bail order in any language that the petitioner understands.

11. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

12. The petitioner shall surrender in prison from where he was released, on 06.09.2024 at 11 AM.

13. There would be no need for a certified copy of this order for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

Petition is allowed to the extent mentioned above. In case, condition of the petitioner does not improve, he is at liberty to file an application for extension of interim bail by

annexing corroborating latest medical record of his treatment, well before 06.09.2024. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

06.03.2024
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Whether speaking/reasoned:	Yes
Whether reportable:	No.