



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-18889-2023

Date of decision: July 31st, 2024

Subhash Goyal

.....Petitioner

Versus

Union of India

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. Sourabh Goel, Senior Standing Counsel, NCB
with Ms. Geetika Sharma & Ms. Anju Bansal, Advocates.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking grant of concession of interim bail for three months in case bearing CRIME No.79 dated 15.11.2022 under Sections 8, 18, 21, 25, 27, 29 of the NDPS Act, 1985, registered at Police Station NCB, Chandigarh, on medical grounds.

2. Learned counsel for the petitioner submits that as per medical report dated 26.02.2024, the SMO, Central Jail, Ludhiana, had stated that the petitioner has been advised cataract surgery of his left eye and left ear tympanoplasty, however, till date, the petitioner has not been operated upon, even after a lapse of almost five months. Learned counsel has submitted that he would restrict his prayer to getting the petitioner operated without any delay from PGIMER, Chandigarh, or any other good medical facility at his own expenses.

3. Learned counsel appearing for the NCB submits that they would have no objection to getting the petitioner operated in case there is some medical advice to the said effect. Learned counsel submits that

they would get the petitioner examined from a Board of Doctors headed by Civil Surgeon, Ludhiana, at the earliest; in case so advised, they would request a date for his surgery from Civil Hospital, Ludhiana, or in the alternative from some private hospital at Ludhiana.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In case the Board of Doctors headed by Civil Surgeon, Ludhiana, advises for immediate surgery of the petitioner, the petitioner would be admitted in the Civil Hospital, Ludhiana/any private hospital, for the same. However, during his entire stay in the hospital, he would be kept under strict police custody/supervision along with NCB. Immediately upon his discharge from the hospital, after his surgery, and after taking the opinion of his treating doctor, the petitioner shall be shifted back to the jail, where he is presently lodged.

6. It is clarified that during his entire hospitalization, the petitioner would not be permitted to meet his family members/relatives or any other private individual.

7. The instant petition stands disposed of with above observations.

July 31st, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No