



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 20051 of 2024 (O&M)
Date of Decision: 16.05.2024

Jagdeep Singh Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Athar Ahmad, DAG, Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 482 Cr.P.C, prayer has been made for quashing of the order dated 02.03.2024 passed by the Judge, Special Court, Amritsar arising out of FIR No.55 dated 14.12.2023 registered under Sections 21, 23(c), 25 and 29 of NDPS Act at P.S. State Special Operations Cell, Amritsar, District Intelligence Wing (CID).

[2] The case set up in the petition is that the petitioner though, an accused is having long history of illness as he has undergone multiple surgeries, and thus, needs immediate medical assistance from Ajit Hospital, The Brain, Spine and Trauma Centre, Amritsar where he was undergoing treatment for the past some time. The notice of the petition was served upon the respondent-State.

[3] In response, learned State counsel has produced latest medical status of the petitioner vide communication dated 24.04.2024 from the office of Medical Officer, Central Jail Hospital, Amritsar. The extract therefrom is reproduced hereunder:-

“ Following is the medical history of inmate Jagdeep Singh s/o Sukhdev Singh. The inmate has a long history of illnesses and he has undergone multiple surgeries. The brief medical history as according to record given by inmate from private hospital (has to verify from institution): -

"Operated in Silver Oaks Hospital Mohali by Prof. V. K. Kakk, neurosurgeon on 15.04.2004; A 14/4/2004; trans nasal route, discharged 23.04.2004; on 24.04.2004 c/o vomiting and developed Ptosis of right eye and was readmitted and operated on 27.04.2004; right Frontal craniotomy was done. Subsequently, patient was referred for Radiotherapy but he consulted Dr. Jayant Chawla, Neurosurgeon at Amritsar, who referred him to Dr. B. K. Mishra, Mumbai - Hinduja Hospital and there he was operated two times through nose (29/5/2004) and then transcranial during same admission in hospital. After the patient was taking treatment from Dr. Rajiv Khanna, DM, Endocrinologist -- Tab Wysolone 10 mg in morning - 5 mg HS daily; Tab Thyronorm 50 MG OD; Tab Calkind OD.

He also had History of surgery in 1996 for B/L Knee Bony growth by Dr. Parwinder Singh Sandhu, MS Ortho surgeon; & in 2004 for fracture of left ankle, Screw placement was done.

In the year 2018, CT scan was suggested by Dr. Jayant Chawla and findings were as such as-

- 1). Degenerative Changes in the lumbar spine.*
- 2) Scoliosis of the spine with its Convexity towards the left side.*
- 3). Posterior bulging of the L3-L4, L4-L5 and L5-S 1 IN discs causing compression of the corresponding neural foraminae*

and the exiting nerve roots.

On 29.01.2024 the concerned doctor of the Shiva Neuro and Multispecialty Centre had issued a certificate that inmate has been operated with pituitary tumor and presented with c/o recurrent seizures and spine and sciatica problems and he has been advised complete bed rest and to avoid bending forward and sitting on the floor.

Patient has been regularly examined medically and treatment is going on as per according to the symptoms. Considering patient detailed Medical History and the limited medical resources available at Central Jail Hospital Amritsar, in case of any specialised medical need the inmate should be referred to the higher centre GNDH Amritsar.”

[4] Thereafter, the Director, Guru Nanak Dev Hospital Complex, Amritsar was requested to examine the petitioner and submit a report in this regard.

[5] Today, learned State Counsel has filed a reply by way of affidavit dated 15.05.2024 of Sh. Anurag Kumar Azad, PPS, Superintendent, Central Jail, Amritsar, alongwith the opinion (Annexure R-1) given by the Medical Board constituted at Guru Nanak Dev Hospital Complex, Amritsar, the same is extracted hereunder:-

“ As per the subject cited above and w.r.t. your Office letter no. 6146-51 dated 29/04/2024. Board of doctors clinically examined the above said person Jagdeep Singh s/o Sukhdev Singh and MRI whole spine and the brain was done (report of MRI whole spine and MRI brain signed by radiology department, attached with).

After going through the above facts, the board is in the opinion of that the patient can be managed conservatively (with medicines).”

The aforesaid reply dated 15.05.2024 is taken on record, a copy thereof has been supplied to the counsel opposite.

[6] In view of the aforesaid facts and circumstances, having perused the medical condition of the petitioner, besides the opinion rendered by the Board of Doctors, the Medical Superintendent, Guru Nanak Dev Hospital Complex, Amritsar, is requested to get the medicines prescribed from the Orthopedics and Neurosurgery experts qua the treatment of the petitioner and in case, his admission is required, the jail authorities would facilitate the same at the earliest.

[7] **Disposed off** accordingly.

May 16, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>