

233

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

2024:PHHC:097638



CRM-M-31755-2024

Date of Decision:- 31.07.2024

Sukhdev Singh alias Shegi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr.Abhaysher Singh, Advocate for the petitioners
Mr.Sahil R. Bakshi, AAG, Punjab.

Kuldeep Tiwari, J. (Oral)

1. The Instant petition has been filed under Section 439 Cr.P.C. for grant of interim regular bail for a period of 08 weeks in order to enable the petitioner to undergo and obtain proper and prompt medical treatment in case FIR No.375, dated 18.09.2023 under Sections 21 of NDPS Act, 1985, registered at Police Station City Ferozepur, District Ferozepur, (Annexure P-1).
2. Learned counsel for the petitioner submits that the petitioner has a severe history of Haemorrhoids, and as he stays in jail, his condition is deteriorating with every passing day, and it requires immediate admission in the hospital for the treatment.
3. On the last date of hearing, this Court has directed the State to file reply disclosing medical condition of the petitioner. Today, learned State counsel has filed status report by way of affidavit of DSP (City) Ferozepur

in compliance of the order passed by this Court on 08.07.2024 which is taken on record. The relevant extract of the status report reads as under:-

“The patient Sukhdev Singh son of Ram Singh aged 45 years is admitted in this jail on 21-09-2023 as undertrial. The Patient is a known case of Haemorrhoids usually took medicine on OPD basis. Patient was earlier admitted in jail hospital for his treatment and was also sent to Civil Hospital Ferozepur for specialist checkup and was admitted over there for period 11-12-2023 to 28-12-2023. During his stay in Civil Hospital Ferozepur he was managed conservatively and given IVV Antibiotics and oral medication. He underwent Colonoscopy on 15-12-2023 which showed Rectal Erosion ?Infective?Traumatic. The patient was again sent to Civil Hospital Ferozepur on 13-07-2024 where he was diagnosed with Haemorrhoides grade 3 and was seen by surgical specialist and was advised for Upper GI Endoscopy and Colonoscopy.

For the same, Upper GI Endoscopy and Colonoscopy, the patient was referred to Guru Gobind Singh Medical College/Hospital, Faridkot on 15-07-2024 where he was seen by surgical Specialist. There was no active bleeding present on examination and his procedure will be performed on 08-08-2024 at Guru Gobind Singh Medical College/Hospital, Faridkot. Currently the patient is stable with complaints of on and off constipation and pain abdomen for which he is being given oral medication”

4. On perusal of the above, it is crystal clear that the petitioner was hospitalized on various occasions by the jail authority. It is also reflected in the report that petitioner has a severe history of Haemorrhoids. In fact, he was diagnosed with Haemorrhoides grade 3, and was advised for surgical intervention.

5. Learned State counsel has vehemently opposed the prayer of the petitioner for grant of interim bail, on the pretext that the petitioner is habitual offender, and as many as 11 more cases have been registered against him. However, he has not denied the factum of medical condition of the present petitioner. Learned State while placing on record the custody

certificate of the petitioner, submits that the petitioner has suffered incarceration of 10 months and 09 days as on today.

6. In view of the submissions made by learned counsel for the petitioner, especially the medical condition of the petitioner, the petitioner is ordered to be enlarged on interim bail for a period of six weeks on furnishing requisite bail/surety bonds to the satisfaction of the trial court concerned.

7. However, it is made clear that the petitioner shall cause appearance in the Court as and when called by the trial court. After completion of six weeks' period, the petitioner shall step back in the prison and in case, he fails to do so, the SHO concerned is at liberty to arrest the petitioner and produce before the court concerned.

8. With the above conditions, this petition is disposed of.

31.07.2024
sd

(KULDEEP TIWARI)
JUDGE

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