



CRM-M-50665-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(115)

CRM-M-50665-2024
Date of Decision : 21.10.2024

Gurwinder Singh @ Khedi Wala Baba ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. G.S. Ghuman, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

- Through the instant first petition, filed under Section 483 of BNSS, 2023, a prayer is made for releasing the petitioner on interim bail for a period of one month, in case FIR No.0095, dated 13.08.2024, under Sections 109, 333, 191(3) and 190 of BNS, 2023, and under Sections 25/27 of the Arms Act, 1959, registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, on account of medical condition of the petitioner, which requires immediate surgery, as he has suffered 'Left Condylar fracture'.
- This Court, while issuing notice of motion to the respondent-State in the instant petition, vide order dated 14.10.2024, had directed the State to file a medical status report, qua the petitioner.
- In deference to the directions issued by this Court, short reply dated 21.10.2024, by way of affidavit of Mr. Varun Sharma, Superintendent Central Jail, Patiala, on behalf of the respondent-State of Punjab, furnished by



CRM-M-50665-2024

2

dated 20.10.2024, qua the petitioner. The same are ordered to be taken on the record. The medical condition of the petitioner, as mentioned in paragraph No.3 of the reply (supra), reads as under :-

"3. That in compliance to the orders dated 14.10.2024, passed by this Hon'ble Court, the Petitioner was examined by the Medical Officers of the Govt. Rajindra Hospital, Patiala and the report of Medical Officer of Central Jail, Patiala is annexed herewith as Annexure R-1, and reproduced below.

"Patient Mr. Gurwinder Singh son of Harjinder Singh, Age 30 Years, Resident of Village Kheri Jattan, District Sangrur was examined in hospital OPD on 16.10.2024. He is conscious, Cooperative and well oriented to time, place and person. His vitals B.P-126/78 MM. Pulse 80/Min, Spo2-99%.

As per the medical record of Dayanand medical college and hospital, Ludhiana. Patient Mr. Gurwinder Singh son of Harjinder Singh got admitted to DMC Ludhiana on 08.08.2024 with Chief Complaint of (a) pain abdomen since 06 months and (b) vomiting since 15 years.

His diagnosis: - Depressive illness

- opioid addiction/Cannibal Abuse*
- opioid withdrawal*
- Lead toxicity*
- Haloperidole induced EPS/Resolved*

Investigation- Colonoscopy. NCCT head done Patient put on appropriate medication Patient needed further hospitalization however he refused further stay and was discharged against medical advice on 10.08.2024 (Relevant Record attached here with in).

Patient was admitted to Government Medical college and Hospital, Sec-32 Chandigarh on 12.08.2024 with alleged history of road side accident and alleged "Left Condylar fracture and NCCT head grossly normal brain parenchyma.



Dental opinion revealed fracture of teeth of upper jaw and avulsion. Details report of GMC-32 Chandigarh attached here with in.

Patient got admitted to hospital of Central Jail, Patiala on 17.08.2024. Appropriate medicines prescribed. Patient remained under observation. Patient got discharged under satisfactory condition on 02.09.2024. All the record attached here with in.

Patient was referred to GMC Patiala/ Govt. Rajindra Hospital, Patiala on 16.10.2024 for medicine consultation, Psychiatry consultation, Surgery Consultation and dental consultation.

(a) Patient was examined in Psychiatry OPD following medicines were prescribed.

Tab Olanzapine 5mg 1 Tab HS x 20 days
Tab Lithium 300 mg 1 Tab BD x 20days
Tab Clonazepam 0.5 mg 1 Tab HS x 20 days

Follow up after 20 days. Prescription slip attached here within.

(b) Patient was examined in Medicine OPD following medicine were prescribed

Cap Rabeprazole domperidone ICap BD x 20 days
Syp Antacid 2 TSP x 20 days

Follow up after 20 days

(c) Patient was examined at Government Dental College and Hospital, Patiala. Examined report attached here with in.

Patient Advised: NCCT Head and face with Radiologists opinion

NCCT Head and NCCT Face Done
(Final report pending)

(D) Surgery Consultation not done on 16.10.2024

Patient again called on 18.10.2024.

All the previous record and relevant document attached here with in. ”



4. Perusal of the reply (supra) reflects that the petitioner was arrested in the instant case on 17.08.2024, whereas, the petitioner was earlier admitted on 12.08.2024, after suffering injuries in a road side accident. He suffered fracture on left condylar (jaw). The petitioner was got admitted to the hospital of Central Jail, Patiala, and he was discharged on 02.09.2024. The complete record reflects that the petitioner required a surgery, as he has suffered a fracture on left condylar (jaw), and at this point of time, the medical condition of the petitioner is being kept under control by providing medicines.
5. Considering the above medical status report of the petitioner, this Court deems it fit and appropriate to grant the petitioner the relief of interim bail, for a period of one month, for the purpose of getting the surgery done. The petitioner shall be released on interim bail on 22.10.2024, and he shall re-step into the prison on 22.11.2024, subject to furnishing heavy surety to the satisfaction of the learned trial Court concerned. In case, the petitioner fails to surrender on 22.11.2024, the SHO of the police station concerned, is directed to arrest the petitioner forthwith, and produce him before the learned Judicial Magistrate/trial Court, concerned, and the latter shall proceed in accordance with the law.
6. Accordingly, the instant petition is **allowed**.

(KULDEEP TIWARI)
JUDGE

October 21, 2024
Manpreet

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