

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-62085-2023

Date of decision : 04.01.2024

AMAN GARG

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Jaswinder S. Arora, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Prayer is for grant of interim bail to the petitioner for one week owing to his medical condition.

2. The petitioner is facing prosecution in case FIR No.69 dated 08.07.2023 registered for the offences punishable under Sections 22 & 29 of the NDPS Act, at Police Station Cantt Jalandhar.

3. It is the case of the petitioner that no recovery was effected from him and apart from that his medical condition is such that he requires immediate surgery.

4. State was put to notice and was ordered to verify w.r.t. medical condition of the petitioner.

5. Medical report has been placed on record along with affidavit of Kulwant Singh, Superintendent Central Jail, Kapurthala, today in Court, which is taken on record. Operative part of the medical report reads as under :

“That the patient prisoner Aman Garg who was admitted with grade (iv) Rectal Prolapse, DM, Hypertension, Pulmonary Koch on 09.10.2023 in surgery unit no. (V) (Guru Nanak Dev Hospital) as per prisoner duty roaster. Thereafter, on 01.11.2023 as per prisoner duty roaster, prisoner Aman Garg was shifted to Surgery Unit (vi) (Guru Nanak Dev Hospital). As the prisoner was required immediate surgery but he was medically unfit for surgery, thus, he was referred to P.G.I Chandigarh on 06.11.2023 for treatment for surgery (enclosed copy of the refer card), but due to non availability of necessary slot for operation at P.G.I Chandigarh, the patient was sent back to Guru Nanak Dev Hospital Amritsar and was called again for follow up at P.G.I at GS- II OPD Dr. YRS in Room No. 40607 new OPD 4th floor on Tuesday/Friday. Thereafter, on 09.11.2023 the patient Aman Garg was admitted back in surgery unit iv (Guru Nanak Dev Hospital) and as per prisoner duty roaster he was shifted again to surgery unit (vi) on 10.11.2023. On 23.11.2023 patient was again sent to P.G.I Chandigarh as he required immediate surgery but due to non availability of slot at P.G.I Chandigarh he was readmitted at Guru Nanak Dev Hospital on 25.11.2023 in surgery unit-ii emergency duty and as per prisoner duty roaster he was shifted in surgery unit-vi (Guru Nanak Dev Hospital) on 26.11.2023. Thereafter, patient is admitted in surgery unit (vi) (Guru Nanak Dev Hospital), during his admission the patient is having problem of Rectal Prolapse again and again, which has to reduce and sent back to his original place immediately.

Apart from this, the patient is suffering from Uncontrolled DM and Hypertension, due to which the patient needs to change the dose of insulin for controlling sugar as per the recommendation of Medical Specialist and for hypertension he is being given medicine as per requirement, by monitoring him daily. Prisoner patient Aman Garg is suffering from Rectal Prolapse Grade (iv), DM, Hypertension, Pulmonary Koch and needs immediate Surgical Intervention....”

6. Keeping in view the medical condition of the petitioner which has been duly verified by the Medical Board constituted and in view of the opinion formulated by the Medical Board w.r.t. immediate need for surgical intervention, the petitioner is ordered to be released on interim bail for 4 weeks.

7. The petitioner shall be released by the Jail Authorities concerned subject to heavy surety tomorrow i.e. 05.01.2024.

- 8. The petitioner shall surrender back on 06.02.2024.
- 9. During the aforesaid period the petitioner shall not switch off his mobile phone and shall share his mobile number with the Police Authorities.
- 10. The aforesaid condition is in addition to the conditions that may be imposed by the Jail Authority.
- 11. Petition stands disposed off accordingly.

January 04, 2024		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No