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

**CRM-M-51482-2025
DECIDED ON: 23.09.2025**

GURSEWAK SINGH**.....PETITIONER**

VERSUS

STATE OF PUNJAB**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. K.S. Chahal, Advocate, and
Mr. Kanav Goyal, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. On 15.09.2025, following order was passed by this Court:-

“1. Present petition has been filed under section 483 of BNSS of 2023 with the prayer to grant interim bail to the petitioner on the Medical Ground in FIR No.175 dated 26/06/2023 under section 302, 307, 323, 324, 325, 506, 148, 149 of Indian Penal Code, registered at police station City Rajpura, District Patiala.

2. Notice of motion.

3. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts an appearance on behalf of the respondent/State.

4. Although the medical report has been discussed in paragraph No.5 of the order dated 18.08.2025 passed by learned Additional Sessions Judge, Patiala, yet, to provide an update on the petitioner's current health condition, let a status report be filed by learned State Counsel, after verifying the



facts mentioned in the present petition, concerning health of the petitioner.

5. *List again on 23.09.2025.*

To be shown in the urgent list.”

2. Today, learned State counsel filed medical status report through an affidavit of Inderjeet Singh Kahlon, Superintendent of New District Jail, Nabha, dated 22.09.2025, along with the report of the jail Medical Officer, New District Jail Nabha, marked as Annexure R-1/T, and its vernacular version. Additionally, custody certificate has also been filed as Annexure R-2. Same are ordered to be taken on record. Registry is directed to tag them at the appropriate place in the file.

3. Counsel for the petitioner submits that petitioner is not an anti-social element involved in drug trafficking or any other illegal activities. Besides the present case, one magisterial trial case and another cheque bouncing case are pending against him.

4. Counsel for the petitioner further relies on the medical report appended to the status report filed by learned State counsel (Annexure R-1) and submits that, as per the opinion of neurosurgeon, petitioner has been advised to undergo neurospinal surgery at the earliest and requires a specific kind of medical care. However, it is doubtful whether such care can be provided inside the jail in strict compliance with the medical recommendations, or not. Therefore, in order to receive proper treatment, petitioner be granted interim bail for a period of two months.

5. This Court has heard the submissions addressed by counsel for the parties and has also gone through the medical report (Annexure R-1) available before it.



6. For reference, medical report (Annexure R-1) is reproduced here under:-

“This is to mention that inmate named UT Gursewak Singh S/o Nirbhai Singh is currently lodged in New District Jail, Nabha. As per Mulaza Report he is an opioid abuser and has Chronic illness of PIVD. As per his medical record he often has complaint of lower back Ache for which he regularly visits jail Hospital and is being prescribed medication on the basis of symptoms which includes NSAIDS calcium supplements and GABA agonists as neuroprotectives. Initially showed slight improvement in his symptoms. He was referred to SDH, Nabha for orthopedician consult and was prescribed medication for same. As he did not show any improvement in his Symptoms, he was referred to Rajindra hospital Patiala for MRI lumbo sacral spine with whole spine screening. The MRI was done on 13.06.2025 which shows:

- 1. Right Foraminal disc herniation with neural compromise at L4-L5 disc level*
- 2. Left paracentral disc extrusion with cranial migration causing neural compromise and spinal canal stenosis at L5-S1 disc level.*
- 3. Diffuse disc bulges at other levels.*

Screening of whole spine was done which revealed

- 1. Straightening of cervical spine.*
- 2. Anterior and posterior marginal osteophytes at all cervical levels.*
- 3. Schmorl nodes is seen at lower border of D7,D11 and D12 vertebral body.*



4. All cervical discs D1-D2, D2-D3, D3-D4 and D11-D12 intervertebral discs to variable degree on T2WI S/o disc dessication.

5. Posterior bulging disc osteophyte complexes are seen at C4-C5 and C5-C6 level

6. A well defined round to oval T1/T2 hyperintense area seen D11 vertebral body? Hemangioma.

He was referred to Neurosurgery department at Rajindra Hospital, Patiala and was seen by Neurosurgeon. As per Neurosurgeon he has been advised strict bed rest, weight loss and was prescribed medicine. As per Neurosurgeon opinion he needs Neurospinal surgery.

Currently inmate Hemodynamically and vitals are within normal limits. Inmate is provided with hard bed mattress for back support.

Symptomatic treatment and proper care is provided to the inmate. Inmate needs Neurospinal Surgery as recommended by Neurosurgon. Inmate will be referred to Rajindra Hospital Patiala for further interventions.

Medical Officer,
New District Jail Nabha.”

7. Taking note of the grounds mentioned in the present petition and medical report filed today by learned State counsel, this Court noticed that petitioner is inside jail for more than 2 years, 1 month, and 27 days. Considering the nature of the physical problems faced by the petitioner, prayer for interim bail to him is deemed to be worth consideration.



8. Accordingly, present petition is allowed, and petitioner namely Gursewak Singh is ordered to be released on interim bail for a period of two months from today, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

However, it is clarified that petitioner would surrender back to the concerned jail authorities on or before 24.11.2025 by 5.00 P.M.

9. Though, present petition is disposed of with the above-said direction, let the same be listed again on 01.12.2025, in order to confirm the factum of the petitioner having surrendered back to the jail authorities.

23.09.2025

Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>