



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.56444 of 2024
Date of decision: 15th January, 2025

Navpreet Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. This is the second petition filed under Section 483 of the BNS 2023 for grant of interim bail to the petitioner on medical grounds for a period of four months in case bearing FIR No.8 dated 23.01.2024 under Sections 25, 21-C, 27A, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and sections 489, 420, 467, 468, 471 of the IPC added later on, registered at Police Station Sadar Tarn Taran, District Tarn Taran.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is submitted that it is a matter of record that the petitioner underwent a surgical procedure on 04.12.2024, at Guru Nanak Dev Hospital, Amritsar, and his medical condition is still not satisfactory. Emphasizing upon the health condition of the petitioner, learned counsel has argued that the severity of his condition is significantly affecting his ability to perform

daily activities. Learned counsel has therefore prayed that the petitioner be released on interim bail, so that he can undergo treatment at a private hospital.

3. On the other hand, learned State counsel has vehemently opposed the prayer of the petitioner. However, learned State counsel, on instructions, has not disputed that the petitioner is indeed hospitalized at Guru Nanak Dev Hospital, Amritsar. However, relying on instructions, it is submitted by the learned State counsel that the petitioner is being treated at Guru Nanak Dev Hospital, Amritsar wherein all his medical ailments are being addressed. He further submits that as long as the petitioner's health condition does not improve, the petitioner would not be brought back to the jail and he would continue to be treated as an indoor patient in the hospital. It has been further submitted that it is a matter of record that in another case under the NDPS Act, the petitioner has already been convicted. The learned State counsel has therefore expressed serious apprehension that, given the antecedents of the petitioner, there is a strong likelihood of him misusing the concession of even interim bail, if granted.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. As not disputed, the petitioner is indeed suffering from certain post-surgery ailments. However, the criminal history of the petitioner, which also includes his conviction under the NDPS Act, reflects a prima facie pattern of habitual offending. The gravity of the allegations levelled in the present FIR cannot be overlooked, particularly considering that 1.3 kgs of Heroin, along with a .32 bore Pistol and 5

live Cartridges, were allegedly recovered from the possession of the petitioner.

6. Given the seriousness of the allegations and the antecedents of the petitioner as well as the stage of the trial, this Court is not inclined to grant interim bail to the petitioner as he is already receiving treatment at Guru Nanak Dev Hospital, Amritsar. Nevertheless, in the event the petitioner requires specialized medical intervention, he would be taken to PGIMER Chandigarh and if advised, admitted there for his treatment under police custody.

7. The petition stands disposed off in the above terms.

(MANJARI NEHRU KAUL)
JUDGE

January 15, 2025
rps

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