



CRM-M-29666-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-29666-2023 (O&M)
Decided on : 30.07.2025

PRITPAL SINGH @ PREETPAL SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner on medical grounds, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Pritpal Singh @ Preetpal Singh	145	12.07.2020	18 of NDPS Act (Section 18-B, 27-A and 29 of NDPS Act added later on)	Cheeka	Kaithal

2. The prime contention raised by learned counsel for the petitioner is that petitioner is completely bedridden and is suffering from



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cervical myelopathy with cervical stenosis, rendering him 100% disabled with respect to his entire body.

As per the disability certificate dated 18.03.2023 (Annexure P-6), petitioner has been diagnosed with cervical myelopathy with quadriplegia, resulting in a permanent locomotor disability. The certificate confirms that petitioner is suffering from 100% permanent disability affecting his whole body, thereby making it extremely difficult for him to carry out daily activities without assistance.

3. Instant petition has been pending since 06.06.2023, when notice was first issued by this Court. On the subsequent date, i.e., 12.07.2023, petitioner was granted interim bail by the co-ordinate Bench of this Court, taking into consideration the petitioner's health condition. Since then, interim bail has been extended from time to time.

In compliance with an order passed by this Court, petitioner appeared before the Board of Doctors constituted by the Director, PGI Rohtak. The Medical Board was constituted on 15.04.2025, and after taking note of the same, this Court passed the following order, on 22.04.2025:-

“In compliance of order dated 03.04.2025, learned State counsel has placed on record status report by way of affidavit of Kuldeep Singh, HPS, Deputy Superintendent of Police, Guhla. A copy of the same has been supplied to the counsel opposite.

Report of the Board of Doctors of PGIMS Rohtak, which has been annexed as Annexure R-1 with the status report, is as under:-

“In reference to vide Endst. No.PGIMS/MB/25/2659-61 dated 25.03.2025 regarding the subject cited above. The Medical board meeting was held on 15.04.2025 at 11:00 AM in Neurosurgery office, PGIMS, Rohtak. Patient Pritpal Singh S/o Sh. Harbans Singh,



was evaluated by the members of the medical board. Following the examination and review of the recent tests recommended during the previous medical board meeting on March 29, 2025, the medical board has provided the following opinions:

1. Haematology Opinion: The patient presents with asymptomatic thrombocytopenia attributed to chronic liver disease, which may improve with appropriate treatment.

2. Medical Gastroenterology Opinion: The patient is diagnosed with liver cirrhosis accompanied by portal hypertension and splenomegaly, necessitating treatment and ongoing follow-up.

3. Neurosurgery Opinion: The patient exhibits cervical compressive myelopathy resulting in spastic quadriparesis. Final Opinion: The patient is a case of cervical compressive myelopathy with cirrhotic liver disease and thrombocytopenia. Patient is unable to attend own bodily needs without assistance and unable to walk unassisted. The patient is having moderately severe disability, as indicated by a modified Rankin Scale (mRS) of 4. This is for your kind information and necessary action.”

Adjourned to 30.07.2025.

In view of the medical condition of the petitioner which stands reproduced hereinabove, interim order dated 12.07.2023 is extended till the next date of hearing only.”

This is how petitioner continues to remain on interim bail granted by this Court, vide order dated 12.07.2023.

4. Counsel for the petitioner, referring to the facts of the case, submits that there are total seven accused involved in the present case. Recovery of 31 kilograms of opium was made from co-accused Ramesh Kumar, who was apprehended along with other co-accused Sher Singh @ Shera and Ashok, both of them were riding on a motorcycle. However, except Ramesh Kumar, other two co-accused managed to flee from the



spot. Subsequently, additional accused, including the petitioner, were implicated in the case based on the disclosure statement of co-accused Sandeep Kumar Dangi, who is also involved in another case (FIR No. 137 of 2021) of a similar nature, registered at Police Station Guhla.

Thus, counsel for the petitioner submits that despite the petitioner's disability and having been released on interim bail, concession granted to him was never misused. Furthermore, as per the allegations of the prosecution, nothing incriminating has been recovered from the petitioner's possession. Although, the prosecution alleges that an amount of Rs.6,000/- was recovered from the petitioner, which is claimed to be drug money, and disclosure statement implicates the petitioner in supplying total 60 kilograms of opium, out of which only 31 kilograms were recovered from the main accused, Ramesh Kumar.

5. Considering the totality of the circumstances highlighted above, counsel for the petitioner prays for grant of regular bail to the petitioner in the present case.

6. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 29.07.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

7. As per the custody certificate, in the present case, petitioner has already undergone 1 year 7 months and 21 days period inside jail and is involved in two other cases, in which he is on bail. Status of those cases, in extracted form, is mentioned here under:-



Sr. No.	Date of case (FIR No., dated, Section, Police Station, District)	Status of Case (Trial pending or concluded or yet to commence)	Remarks (in jail, Undergone, Acquitted, on bail)
1.	FIR No.11/2020, under sections 8(c), 18(b) and 29 of NDPS Act, PS Narcotics Control Bureau, Lucknow	Pending	On bail, by order No.151 dated 21.06.2023 which is received on 21.06.2023
2.	FIR No.31/2020, under Sections 18(b) and 29 of NDPS Act, PS Guhla, Kaithal	Pending	On bail, by order No.403 dated 15.07.2023 which is received on 15.07.2023

In respect of the other three cases mentioned in the custody certificate, it is submitted that petitioner has already been acquitted by the concerned Courts. The status of these cases is reproduced as under:-

Sr. No.	Date of case (FIR No., dated, Section, Police Station, District)	Status of Case (Trial pending or concluded or yet to commence)	Remarks (in jail, Undergone, Acquitted, on bail)
1.	FIR No.07/2004, dated 31.01.2004, under Sections 326, 324, 323, 341, 148, 149, 506 of IPC, PS Siwan, Kaithal	Concluded	Acquitted
2.	FIR No.134/2011 dated 20.07.2011, under sections 15-61-85 of NDPS Act, PS Cheeka, Kaithal	Concluded	Acquitted
3.	FIR No.39/2010 dated 22.04.2010, under sections 149, 148, 323, 341 and 506 of IPC, PS Cheeka, Kaithal	Concluded	Acquitted

8. This Court has heard submissions advanced by counsel for the parties and has also perused the material available on record.

9. Taking into consideration the petitioner's health condition, this Court finds merit in the contention raised by counsel for the petitioner, that petitioner has never misused the concession of interim bail, at any stage. It is further observed that petitioner is medically unwell, and charges against him are yet to be proved, and out of total 39



prosecution witnesses, only 20 have been examined so far, with 19 still remaining. Moreover, petitioner has already undergone incarceration for a period of 1 year, 7 months, and 21 days in the present case. In view of the above circumstances, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

10. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, 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.

11. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

13. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

30.07.2025
Lavisha

Whether Speaking/Reasoned: ✓ YES/NO
Whether Reportable: ✓ YES/NO