

CRM-M-22069-2015

[1]

In the High Court of Punjab and Haryana at Chandigarh.

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Date of Decision:18.09.2015

Krishna

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sanjeev Kodan, Advocate,
for the petitioner.

Ms. Mahima, AAG, Haryana.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.305, dated 31.12.2014, under Sections 323, 325, 307, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Beri, District Jhajjar.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 01.04.2015. Petitioner is suffering from cancer and is unable to do her daily routine activities.

On the last date, learned State Counsel has sought time to place on record the opinion of the jail doctor.

The Medical Officer, District Jail, Rohtak, has observed as under:-

“On dated 28/08/15, she was sent to PGIMS, Rohtak and she remained admitted there w.e.f 28/08/15 to 04/09/15 vide CR No.378617 with

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diagnosis Carcinoma bladder with paraplegia. On dated 07/09/15, she was sent to PGIMS, Rohtak vide COD No.199126. The prescribed treatment was provided to her. She was sent to PGIMS, Rohtak on dated 08/09/15 and she remained admitted there w.e.f 08/09/15 to till today i.e. 17/09/2015.

During the stay in this jail her general condition remained poor and she was unable to do her routine activity i.e. she pass stool in clothes. It was advised by the specialist of PGIMS, Rohtak not to sit and stand. Finger movements were advised. At District Jail, Hospital Rohtak there is no female nurse and no female hospital ward is available.

Since, in the present case, the condition of the petitioner is serious, it would be just and expedient to order the release of the petitioner on bail on medical grounds.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Jhajjar.

September 18, 2015
kapil

(SABINA)
JUDGE