

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

**CRM No.M- 42464 of 2014
Date of decision: 13.01.2015**

Rohtash

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN.

Present: Mr. Pankaj Sharma, Advocate
for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.

JITENDRA CHAUHAN J. (Oral)

The present petition has been filed under Section 439 of the Criminal Procedure Code, seeking interim bail to the petitioner for one and half months in case FIR No.272 dated 01.07.2012, registered under Sections 302, 149, 307, 323 and 120-B IPC and Sections 25/27/54/59 of Arms Act, 1959, at Police Station Sadar, Fatehabad, District Fatehabad.

Learned counsel for the petitioner contends that the present petitioner is suffering from stone in gall bladder and a surgery is required to be carried upon him.

The learned counsel for the State, on the other hand, filed an affidavit based on the report prepared by the Medical Officer, Central Jail, Hisar, which reads as under:-

According to available medical record Rohtash son of Ram Kumar, is suffering from B/L Renal Stones as per ultra sound report of General Hospital, Hisar. He was referred and sent to General Hospital, Hisar on dated 18.09.2013, 13.03.2014, 03.06.2014, 14.06.2014 & 19.06.2014, where he was investigated and checked up by the surgical experts of General Hospital Hisar. His X-Rays, Ultra Sound, ECG, Blood Tests and urine examination was done. He is being referred to General Hospital Hisar as and when required. He is being getting the prescribed treatment of experts of General Hospital, Hisar regularly and timely.

On the orders of the Hon'ble High Court he was also referred and sent to General Hospital Hisar on dated 10.01.2015 regarding the opinion of the expert surgeon of General Hospital, Hisar, which are as follows:-

- 1. The medical condition of the petitioner is good at present.*
- 2. As per the opinion of the expert surgeon of General Hospital Hisar no surgery is required at present.*
- 3. The General Hospital Hisar, has the expert surgeon who can perform the surgery.*
- 4. He has advised that the opinion of the super specialist i.e. urologist may be sought from PGIMS, Rohtak, for which he has been referred and advised to be sent to PGIMS, Rohtak, for the urologist opinion.”*

In the circumstances, the surgery is not required and the State is directed to take the petitioner to PGIMS, Rohtak, for further treatment in pursuance of the observations made in Annexure R-1.

Disposed of, accordingly.

(JITENDRA CHAUHAN)
JUDGE

13.01.2015
yakub