

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

CRM No. M-26840 of 2016

Date of decision:- August 30, 2016

Surjeet

.....Petitioner..

Vs.

State of Haryana

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Jagjot Singh Lalli, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure, petitioner-Surjeet son of Inderraj, now confined in District Jail, Karnal, Haryana has sought interim bail, in case FIR No.1201, dated 07.10.2011, under Sections 302, 34, 120-B, 216 365 IPC and Section 25 of the Arms Act, 1959, Police Station City Panipat.

2. Undisputably, earlier also the petitioner was granted interim bail for 3 weeks for the purpose of looking after the health of his wife as well as to take care of his minor children, vide order dated 02.06.2015 passed in CRM-M-16029-2015 (Annexure P-4). Now, instant petition has been moved seeking interim bail on account of the fact that his wife required kidney transplantation.

3. Learned State counsel has furnished status report by way of an affidavit of Mr. Dalbir Singh, HPS, Deputy Superintendent of Police, City Panipat along with certificate issued by Dr. D.S. Rana, Sir Ganga Ram Hospital, New Delhi (Anneure R-1).

4. A glance at the aforesaid certificate reveals that Ms. Nirmala wife of petitioner-Surjeet is suffering from End State Kidney Failure and is on regular maintenance haemo-dialysis. She requires kidney transplantation for saving her life. It also further finds mention that 2-4 weeks are required for all investigations of donor and various legal permissions before kidney transplantation is undertaken. Further, the donor also requires at least 4 weeks rest from the date of his discharge from the hospital. For another six weeks, he should avoid hard physical work.

4. Taking into consideration all the aforesaid aspects of this case and to enable the petitioner to get kidney transplantation of his wife performed, he is allowed interim bail for a period of 6 months from the date of his release from the jail. He is ordered to be released on interim bail at the satisfaction of trial court/Duty Magistrate, Panipat

August 30, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No