

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

CRM-M-8835 of 2016 (O&M)
Date of decision : 05.04.2016

Parminder Singh

...Petitioner

V/S

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Satinder Kaur, Advocate for the petitioner (s)

Mr. Mehardeep Singh, Addl. A. G., Punjab
assisted by HC Gurpreet Singh.

Mr. Arshdeep Singh Brar, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for granting of interim bail to the petitioner in case FIR No.73 dated 27.07.2012, under Sections 306/34 of the Indian Penal Code (Section 304-B IPC added on 23.02.2016), registered at Police Station Kot-Isha-Khan, Dharamkot, District Moga.

It is contended that the petitioner is a known patient of hepatitis-C Viral, HCV RNA, Genotype, Linear Genotype 3. Earlier also vide order dated 25.05.2015, the petitioner was allowed the interim bail for the treatment and did not misuse the concession of bail.

The learned State counsel, on instructions, submits that the required treatment is not available with the Sub Jail, Moga.

Heard.

Keeping in view the fact that the petitioner, who was earlier allowed the similar relief, did not misuse the concession of bail and the fact that the treatment is not available in the jail, therefore, purely on the humanitarian ground, this Court feels that the present petition deserves to be allowed and the petitioner is ordered to be released on interim bail, for a period of three months from the date of his release, as per the Rules, on furnishing bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The petitioner shall surrender before the jail authorities after expiry of three months, on the date and time to be indicated by the releasing authority at the time of his release.

Allowed.

(JITENDRA CHAUHAN)
JUDGE

05.04.2016
ashok