

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

CRM-M No.42827 of 2016 (O&M)

Date of decision: 05.04.2017

Bajrang Lal Gupta

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Aman Pal, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Nitin Jain, Advocate for respondent No.2.

REKHA MITTAL J.

CRM No.10458 of 2017

Heard.

Allowed as prayed for.

Annexures P10 to P12 are taken on record subject to just
exceptions.

Disposed of accordingly.

CRM-M No.42827 of 2016

Prayer in this application is for grant of interim bail for a
period of 04 weeks during pendency of trial pertaining to FIR No.571
dated 04.08.2015 for offence under Sections 304-B, 306 and 506 read
with Section 34 of the Indian Penal Code, 1860 (in short 'IPC')
registered at Police Station Civil Lines, Karnal.

Counsel for the petitioner has submitted that the petitioner

is a patient of hypertensive heart disease and three stents have already been put in his arteries and he gets regular medical treatment/check-up from Medanta Hospital, Gurgaon and Max Hospital, Mohali. He has submitted that though initially prayer was made for interim bail of 04 weeks for medical treatment from Max Hospital, Mohali but now he confines his prayer that the respondent – State may be directed to take the petitioner to Max Hospital, Mohali for one day within a short span of time so that he can get his medical tests done under the supervision of experts at super specialty hospital.

Counsel for the State of Haryana has submitted that the petitioner refused to get his medical examination done in PGIMS, Rohtak, therefore, he is not entitled to indulgence of this Court. However, if it is ordered that the petitioner should be taken to Max Hospital, Mohali, expenses on his medical check-up/treatment are required to be incurred by the petitioner himself.

I have heard counsel for the parties and perused the documents in respect of medical condition of the petitioner.

As per the document (Annexure P11) of Pandit B.D. Sharma, PGIMS, Rohtak, it was diagnosed that the petitioner is a patient of hypertensive heart disease. The Medical Officer, District Prison, Karnal as per medical report (Annexure P10) has held that the petitioner needs regular treatment, consultation and follow up treatment of a Cardiologist in a higher institute. Counsel for the petitioner has expressed apprehension of the petitioner that in case he gets angiography done from PGIMS, Rohtak, he may require immediate

further treatment for stenting or may be by-pass surgery which the petitioner does not want to get done from PGIMS, Rohtak.

Keeping in view the reports of PGIMS, Rohtak and the Medical Officer, District Prison, Karnal coupled with the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to the respondent – State that the petitioner would be taken to Max Hospital, Mohali only for a day for his medical check-up/treatment subject, however, to the condition that the petitioner would bear the expenses required for taking him from the jail to the hospital at Mohali as well as medical expenses on his check-up/treatment in the hospital. The petitioner shall not be entitled to extension of his stay in the hospital. The petitioner shall be taken to Max Hospital, Mohali within a period of 20 days from the date of receipt of certified copy of the order.

Disposed of accordingly.

(REKHA MITTAL)
JUDGE

05.04.2017
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No