

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-45408 of 2016

.....

Date of decision:27.1.2017

Sahid Hasan

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Tapish Gupta, Advocate for the petitioner.

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. with a prayer that this Hon'ble Court may kindly grant interim regular bail to the petitioner for a period of three months on medical grounds, in the facts and circumstances of the case, in the case FIR No.127 dated 24.11.2015 registered for the offences under Sections 489-A, 489-B, 489-C and 489-D registered at Police Station Panjokhera, District Ambala.

Notice of motion has been issued in this case.

Mr. Kuldeep Sharma, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned

Deputy Advocate General, Haryana, appearing for the respondent-State and have gone through the record.

From the record, I find that in the present petition the petitioner has concealed the material fact from this Court that his regular bail petition has been dismissed on 12.12.2016. Even in the petition it has been written that the petitioner has not filed such or similar case before this Hon'ble Court or before Hon'ble Supreme Court of India or no such bail application is pending before any Court of Session except petition for grant of regular bail filed before this Hon'ble Court. Though before filing this petition, this Court has already dismissed the regular bail petition of the petitioner, so it amounts to concealing of material facts from this Court by the petitioner. On this ground alone, the petitioner is not entitled to any relief from this Court. Further more, the reply has been filed by the Deputy Superintendent, Central Jail, Ambala, who has stated that the petitioner had already undergone surgical procedure (Left PCNL with DJ Stenting) on 30.12.2016 at PGIMS, Rohtak. He was admitted in the hospital on 29.12.2016 and discharged on 2.1.2017. Thereafter, further DJ Stenting removal had also been done on 13.1.2017. It has also been written in the status report that the present petitioner/patient is in stable condition as per Jail Doctor and he is being provided with the necessary medications from the Jail Hospital as and when need arises.

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Keeping in view the reply also, the petitioner is not entitled to interim bail. Therefore, in the facts and circumstances of the case, I do not find it a fit case where the present petitioner is entitled to the benefit of interim bail.

Therefore, finding no merit in this petition, the same is dismissed.

January 27, 2017.

(Inderjit Singh)
Judge

hsp

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