

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

**CRM-M-46037-2016
Date of decision: 20.07.2017**

Gagan Sharma @ Gaggi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. H. S. Dhindsa, Advocate,
for the petitioner.

Mr. A. A. Pathak, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 71 dated 23.06.2015, registered under Section 306 of the Indian Penal Code at Police Station City, Hoshiarpur.

It is contended that the petitioner herein is suffering from Hepatitis-C and requires proper medical treatment which is not available to him. He had earlier been given interim bail for four months in CRM-M-32124-2015 which he did not misuse. The fact that the petitioner had not misused the said interim bail of four months is not disputed by the counsel for the respondents-State.

Medical report by way of an affidavit of Mr. Harbhajan Singh, Deputy Superintendent, Central Jail, Hoshiarpur has been filed in Court today and the same is taken on record. As per the said medical report, the fact that the petitioner is suffering from Hepatitis-C has been affirmed.

The allegations against the petitioner are very serious in nature

and this Court is not inclined to grant him regular bail. However, since the petitioner is suffering from Hepatitis-C, without going into the merits of the case and keeping in view the fact that the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

July 20, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No