

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

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CRM-M-12416-2020

Date of decision : 28.05.2020.

Sunil Jain

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Gaurav Goel, Advocate for the complainant/Bank.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking interim bail in FIR No.236 dated 23.10.2019 under Sections 409, 420, 465, 467 and 471 IPC, registered at Police Station City Sangrur, district Sangrur for a period of 12 weeks.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he along with other accused had cheated the Bank and misappropriated money while he was working as a Clerk in the Bank. He also contends that although the allegations are similar in nature but three separate FIRs were registered against the petitioner. He has been granted regular bail in one of the FIRs and has never misused the concession thereof. The petitioner has been regularly attending the Court proceedings. He is in custody for over two years in three of the FIRs. He further contends that the wife of the petitioner is suffering from Cancer (Stage-III) and is undergoing

chemotherapy. After 4th session of chemotherapy, she requires surgery which is scheduled on 11.06.2020. The children of the petitioner are residing abroad and there is no other family member to look after his wife. He has drawn my attention to the medical report of the treatment of the wife of the petitioner, who is currently stated to be getting treatment from Homi Bhabha Cancer Hospital, Sangrur. He also contends that the petitioner is ready to furnish heavy surety bonds.

In the reply filed by the DSP, Sub-division, Sangrur on behalf of the State, it has been mentioned that the wife of the petitioner is indeed undergoing chemotherapy as per the medical report dated 16.05.2020 supplied by Homi Bhabha Cancer Hospital, Sangrur. Her surgery is scheduled on 11.06.2020. A copy of the medical report obtained from the aforesaid Hospital has been attached as Annexure R-1, which is reproduced as under:-

'I Dr. Debashish after careful personal examination of the case hereby certify that Pt. Meenakshi Jain wife of Sunil Jail, File No.SF/00741, registered at HBCH, Sangrur on 07.03.2020. She is diagnosed case of Ca Breast and she is planned for NACt.4 cycles with curative intent. She is under chemotherapy, which was started from 19.03.2020; her 4th chemo cycle is due on 21.05.2020. She is planned for surgery after a gap of 02 minimum 2 weeks of 4th chemo, probably it will be scheduled on 11.06.2020 after pre anesthetic check up and pt. fitness. Her PAC is pending.'

In view of the medical condition of the wife of the petitioner, who is to be operated upon for treatment of cancer on 11.06.2020, it would be in the interest of justice if the petitioner is granted interim bail for a period of one month.

Therefore, the instant petition is allowed and the petitioner is ordered to be released on interim bail for a period of one month subject to his furnishing heavy requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The petitioner shall surrender in the Central Jail, Sangrur by 05.00 pm on 30.06.2020.

(ANUPINDER SINGH GREWAL)
JUDGE

May 28, 2020
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No