

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

CRM-M-813 of 2021

DECIDED ON: 8th FEBRUARY, 2021

Jaswinder Singh @ Bindi

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.S. Pannu, Advocate with Mr. J.S. Gill, Advocate
for the petitioner.

Mr. Samina Dhir, DAG Punjab.

Mr. Parunjeet Singh, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference
due to COVID-19 situation.

This is a petition seeking bail in case FIR No. 294 dated
14.9.2019 under Section 302 read with 34 IPC and Sections 25 and 27 of
Arms Act, 1959, registered at Police Station Division No.8, Police District
Commissionerate Ludhiana, District Ludhiana.

The main ground taken is that real brother of the petitioner is
suffering from IV stage Cancer and there is no adult male member in his
family to look after him.

Learned counsel for the petitioner submits that during
re-shuffling in the COVID-19 situation, the petitioner is now detained in
New Jail, Nabha.

Learned State counsel has filed the report dated 28.1.2021. As per report the admitted position is that brother of the petitioner Sukhwinder Singh is suffering from stage IV Cancer and is being treated at Deep Hospital, Ludhiana. It has further come in the report that apart from sister-in-law (Bhabi) of the petitioner and 15 years old nephew there is no one else to look after the patient in the family.

Learned counsel for the complainant vehemently opposes the grant of interim bail and submits that there are two persons available from the family of petitioner who can look after the ailing Sukhwinder Singh.

Considering that brother of petitioner is suffering from stage IV Cancer and there is no adult male member in the family, the petitioner is granted interim bail for three month's from the day of his release, subject to furnishing of surety to the satisfaction of jail authorities.

The petition is allowed to extent mentioned above.

State counsel shall ensure that the order passed today will be sent to the appropriate jail for further action.

8th FEBRUARY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>