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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1198-2021 (O&M)
Date of Decision: 20.05.2021

JAGDISH

... PETITIONER

V/S

U.T. CHANDIGARH

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Parmod Kumar, Advocate for the applicant-petitioner.

Mr. Ashu Mohan Punchhi, Public Prosecutor with
Mr. Anupam Bansal, Addl. Public Prosecutor for U.T.
Chandigarh.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

Medical report pertaining to the petitioner has been placed on record which indicates that petitioner was referred to GMCH, Sector 32, Chandigarh for CECT Chest and as per the latest kidney reports he has been referred to Radiotherapy OPD, GMCH, Sector 32, Chandigarh for follow-up action.

The petitioner is a patient of cancer. It has been stated by learned State counsel that a subcentimetric solid calcified nodule in RML has been detected in CECT examination. The learned counsel for the petitioner has also stated that petitioner is also suffering from kidney ailment and is confined in jail for the last one year, 3 months and 28 days. Learned counsel for the petitioner further states that he restricts his prayer only for the grant of interim bail for some period of time and does not press the claim for regular bail.

The petitioner is confined in jail for the last about one year and 4 months, he is a patient of cancer and is being provided follow up treatment and is to undergo radiotherapy sessions. Although the condition of the petitioner is stated to be stable but keeping in view the ailment being suffered by him and follow-up treatment to be required in the instant case, it shall be appropriate if he is granted concession of interim bail for some period of time. The presence of the petitioner with his family members may also expedite the recovery. This exercise appears to be appropriate particularly because there is restricted functioning of the Courts on account of Covid-19 Pandemic.

In these set of circumstances, the petitioner is directed to be released on interim bail till 30.9.2021 on his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate. However, it is made clear that concession of interim bail granted to the petitioner will not provide him any leverage to seek exemption from the trial Court during the course of trial. In the event of any pressing health constraints, the petitioner is unable to appear in the trial Court on any particular date of hearing, he shall seek exemption from the Court concerned which request may be considered by the concerned Court as it deems fit and appropriate keeping in view the facts and circumstances of the case.

Disposed of.

20.05.2021

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No