

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

CRM-M-9219-2021

Date of decision:-26.2.2021

Sunil Bajaj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr.Rahul Rathore, Advocate for the petitioner.

Mr.Tanuj Sharma, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Petitioner - Sunil Bajaj son of Sh.Krishan Lal, an accused in FIR No.35 dated 23.2.2019, under Sections 406/420/120-B, 201 IPC, registered with Police Station Israna, District Panipat seeks interim bail for a period of two months on medical grounds contending that he needs immediate Coronary Artery Bypass Grafting Surgery, which he intends to get either from Medhanta Hospital, Gurugram or Escort Hospital, New Delhi.

The petitioner had filed a petition earlier but on account of some factual and technical defects, the same was withdrawn and the present petition has been filed.

Notice of the petition has been given to learned State counsel and Mr. Tanuj Sharma, AAG, Haryana, accepts notice on behalf of the State. He has contended that keeping in view the medical condition of the petitioner, he does not oppose the request for grant of interim bail to him for a short period.

I have heard learned counsel for the parties besides going through the record.

The medical documents placed on record by the petitioner including report by Medical Officer, District Prison, Panipat do indicate seriousness of his ailment and necessity of getting medical treatment at the earliest. Since the petitioner is in custody and keeping in view the nature of surgery, which is sought to be got performed, I do not find it proper and appropriate to send the petitioner to the hospital in custody since after performance of the surgery, he may be requiring rest for some time and putting police personnel on duty for that period to prevent possible escape of the petitioner would not be proper. Furthermore, keeping in view the type of ailment from which the petitioner is suffering, there would be little chances of his attempt to escape. However, sufficient sureties can be obtained from him to prevent any such attempt.

Accordingly, the petition is allowed. The petitioner is ordered to be released on interim bail for a period of two months to enable him to undergo Coronary Artery Bypass Grafting Surgery and other requisite treatment for his ailment, subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate, Panipat. The period of two months shall start right from the date when the bonds are furnished before the Chief Judicial Magistrate, Panipat and accepted.

The petitioner shall give an undertaking that on completion of period of two months, he himself surrender at District Jail, Panipat.

26.2.2021
Brij

(H.S. MADAAN)
JUDGE

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