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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17633-2021 (O&M)

Date of decision-29.06.2021

Gurdeep Singh

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pratap Singh Gill, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. J.S.Bedi, Sr. Advocate with
Mr. Sunil Sihag, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

Petitioner-Gurdeep Singh has filed this petition for grant of interim bail in case FIR No.55 dated 02.06.2019 under Sections 148, 149, 323, 307, 447, 302, 324, 325 and 326 Indian Penal Code, 1860 registered at Police Station Sector-13-17, Panipat for a month to enable him to get treatment from private hospital.

Learned counsel for the petitioner has argued that the petitioner is not keeping good health and requires immediate medical attention. He submits that though the petition for grant of regular bail is pending before this Court but in view of the urgency, this petition has

been filed only for grant of interim regular bail on medical grounds.

Notice of the petition was issued on 27.04.2021 and at that stage, learned State counsel had sought time to seek instructions regarding the health status of the petitioner. Today, he has invited the attention of the Court to the reply dated 01.05.2021 filed by way of affidavit of Pooja Dabla, HPS Deputy Superintendent of Police, Crime Against Women, Panipat as well as medical report dated 29.04.2021 (Annexure R-1), to show that indeed the petitioner is suffering from HTN/Asthma with coronary artery disease and hypertension. The relevant part of the medical report reads as under:-

“History of Past Illness- *Patient is on Treatment & HTN & Asthma with CAD (Coronary artery Disease) from PGIMS, Rohtak. Patient was admitted from 02.04.2021 to 04.04.2021 in PGIMS, Rohtak, and diagnosed with CAG-SVD-LAD-DISTAL 40-50% stenosis & EF+65% which ECG was done and found abnormality (T-wave inversion in V4-V5-V6 leads. Consider lateral ischemia and right Atrial enlargement) and currently on Medicine. Patient was admitted in jail hospital for 2 months and under observation.*

Present History of Illness:- *Patient come have no complain & currently on medicine of HTN & ASTHMA with CAD from PGIMS Rohtak.*

General condition:- *B.P.-140/82 mm/Hg.P/R-94/min. A regular follow up by cardiologist is required for his further treatment. As it is not easy to manage cardiac patient in jail hospital and it is also not possible to send the accused patient at PGIMS Rohtak on regular follow up due to Covid-19.”*

The prayer is opposed by Mr. J.S.Bedi, learned Senior counsel appearing on behalf of the complainant on the ground that this

is the sixth application filed by the petitioner and previously also he had applied for interim bail on the ground of illness of his wife, namely, Sukhwinder Kaur. He has drawn the attention of the Court to the paragraph No.5 of the reply dated 30.04.2021 filed by way of affidavit of Happy Singh @ Simranjeet (complainant), wherein details of all the applications are mentioned.

At this stage, Mr. P.S.Gill, learned counsel for the applicant has pointed out that the concession of interim bail granted to the petitioner on previous occasions was never misused as he had surrendered back before the authorities in time. He submits that it is not disputed that the petitioner requires medical treatment for his illness, therefore, he be released on interim regular bail.

After hearing learned counsel for the parties and considering the limited prayer made by the petitioner, which is supported by the recent medical opinion dated 29.04.2021 (Annexure R-1), this Court finds that the prayer made by the petitioner is worth acceptance, particularly when the previous such concessions were never misused by him. Now a days the aggression of pandemic COVID-19 has come down to the lowest level and the other medical treatments are available in the hospitals, therefore, the petitioner deserves to be released on interim regular bail.

Resultantly, the petition is allowed and it is ordered that the

petitioner be released on interim regular bail for a period of one month w.e.f. 30.06.2021 to 29.07.2021 subject to his furnishing the requisite bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate concerned. The petitioner is directed to surrender himself before the concerned Jail Authorities on 29.07.2021 before 05.00 p.m.

(MANOJ BAJAJ)
JUDGE

29.06.2021
vanita

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