

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

206

CRM-M-27295-2021 (O&M)

Date of decision: 01.11.2021

Hawa Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Yugal Kumar Jamwal, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.81 dated 12.03.2021 lodged under Sections 148, 149, 323, 354-A, 427, 458 and 506 IPC (Sections 34, 325, 308 and 307 IPC added lateron) (however, Sections 148, 149 and 308 IPC were deleted at the time of presentation of challan) registered at Police Station Kurukshetra University, District Kurukshetra.

Learned counsel for the petitioner has submitted that the petitioner who has been in custody since 19.03.2021 has been implicated in the FIR in question on the basis of totally false and concocted allegations on account of a previous enmity between the parties. While inviting attention of this Court to the allegations levelled, learned counsel for the petitioner has further submitted that though allegations were levelled in the FIR that the petitioner had indulged in inappropriate behaviour with the sister-in-law of the complainant as well as physically assaulted the complainant, however, there was no medical evidence on record to corroborate the said factum. He has

apprised the Court that during investigation offences under Section 325, 34, 308 and 307 IPC are stood deleted.

Learned counsel for the petitioner submits that he would restrict his prayer to the grant of interim bail only, on medical grounds. While inviting the attention of this Court to the Medial Board Report which has been annexed as Annexure R-1 with the affidavit filed by the State, learned counsel has urged that a compassionate view be taken and the petitioner be extended interim bail for a period of two weeks for getting himself medically examined from a private doctor as he is a patient of hypertension, recurrent stroke with left hemipareisis with left 7th cranial nerve palsy UMN type for which a C.T. Scan of his brain was also done on 11.08.2021.

I have heard learned counsel and perused the material placed on record.

In the circumstances and in the wake of the medical report placed on record by the State, the petitioner is extended the concession of interim bail on medical grounds for a period of 10 days i.e. 02.11.2021 to 12.11.2021 to the satisfaction of the trial Court/Duty Magistrate concerned. The petitioner shall surrender back to the jail authorities concerned on 13.11.2021. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

Disposed of.

01.11.2021

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No