

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

CRM-M-29764-2021

Date of decision:-16.8.2021

Bhopal Singh

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr.Ashit Malik, Advocate  
for the petitioner.

Ms.Shubhra Singh, Addl.A.G., Haryana.

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**H.S. MADAAN, J.**

Case taken up through video conferencing.

Petitioner – Bhopal Singh, an accused in case FIR No.197 dated 7.10.2020, under Sections 302, 201, 365, 306, 120-B, 216 IPC (Subsequently deleted Sections 302 and 201 IPC) and under Section 3(2)(v) SC/ST Act, 1989, registered with Police Station Babain, District Kurukshetra, has approached this Court for grant of interim bail for three months citing the reason of illness of his wife Kamaljeet Kaur statedly suffering from Sciatica requiring surgery.

According to the petitioner, there is no male member in the

family to look after her wife and she requires assistance of her husband, the petitioner, in her daily pursuits during her stay in the hospital and after the surgery.

The application is being opposed on behalf of the State counsel vehemently contending that the petitioner/accused has two sons, who are married and are in position to make necessary arrangements for surgery and treatment of wife of petitioner; they can very well arrange money and give consent to the doctor for performing surgery upon Kamaljeet Kaur and the petition has been filed by the petitioner just to come out of jail on the pretext of wife of petitioner requiring his assistance during her medical treatment.

After hearing learned counsel for the parties and going through the record, I find that the application lacks merit and is bound to be dismissed. The petitioner had filed a similar application before Additional Sessions Judge, Kurukshetra, which was declined vide detailed order dated 6.7.2021 observing that petitioner has two major sons, who are married and they are competent to give consent for surgery of their mother Kamaljeet Kaur and to make arrangements of money and other requisite things. It has further been observed that in case concession of interim bail is granted, the possibility of misusing the same cannot be ruled out.

In the present case the petitioner is an accused in a case containing grave and serious allegations being responsible for death of a young boy namely Sagar aged about 22 years. The apprehension expressed by the State counsel that if petitioner is granted interim bail,

there is every likelihood to his absconding and even tampering with the prosecution evidence by giving threat or inducement to the prosecution witnesses, cannot be brushed aside lightly. Due to two married sons of the petitioner being there in the family, there is no requirement of the petitioner being there to attend to his wife for her proposed surgery and thereafter.

Therefore, the petition is doomed for failure and is dismissed accordingly.

16.8.2021

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**(H.S.MADAAN)****JUDGE****Whether reasoned/speaking : Yes/No****Whether reportable : Yes/No**