

202 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
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CRM-M-37162-2020 (O&M)

Date of Decision: 24.02.2021

AMRINDER SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. K.S.Kang, Advocate
for the petitioner.

Mr. Sandeep Vermani, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

The petitioner has been arraigned as an accused in the case bearing FIR No.274 dated 31.10.2018 registered under Sections 323/302/341/506/148 and 149 IPC at Police Station Civil Lines, Patiala.

In terms of the order dated 09.07.2020 passed in CRM-M-14566-2020, the petitioner was granted interim bail for a period of two months on account of medical ailments being suffered by him.

Subsequently, in terms of the order dated 22.09.2020 passed in CRM-M-27362-2020, the interim bail was extended for a period of two months.

Thereafter, the present petition has been moved and interim bail is being extended from time to time.

It has been stated that the petitioner is under treatment in Amar Hospital, Patiala and other hospitals also including Rajindra Hospital, Columbia Asia Hospital, Patiala and PGI, Chandigarh.

Status report by way of affidavit of Sh. Yogesh Kumar, Deputy Superintendent of Police, City-1, Patiala has been placed on record. The relevant paragraph of the said report is reproduced here-in-below:-

*“4. That in response to the said letter (Annexure R-1/T), Dr.JS Sra, D.M.S. Amar Hospital, Patiala has issued a certificate regarding disease of Amrinder Singh, in which, it is mentioned that patient (Amrinder Singh) is suffering from **“Transverse Myelitis/Seizure Disorder & Ankylosing Spondylitis. Patient is having difficulty on bearing weight on lower limbs & might require spinal surgery in near future. He walks with support and may take few months to recover.”** Copy of certificate issued by Dr.J.S.Sra, D.M.S., Amar Hospital, Patiala is attached as **Annexure R-2** for kind perusal. It is further disclosed in the said certificate that detailed opinions were taken from different government and private hospitals such as Columbia Asia Hospital, Patiala. The petitioner also got check up from Rajindra Hospital, Patiala from where he was referred to PGI Chandigarh where he suffered seizures and the petitioner went into an unconscious state, due to which, they rushed. Thereafter, the petitioner has brought back to Amar Hospital, Patiala.”*

It has been stated by learned counsel for the petitioner that in the event the petitioner is granted interim bail, he will continue to appear in the trial Court and will not misuse the concession of interim bail in any manner so that the trial may get delay. Furthermore, in the event of any serious health issue, the petitioner is unable to attend the Court on a particular date of hearing and exemption from personal appearance is sought, the petitioner will not dispute his identity and will have no objection if the trial proceeds and statement of the witnesses is recorded. The

petitioner will submit a specific undertaking in this regard in the trial Court.

However, this observation is not to be taken as an expression of opinion to exempt the personal appearance of the petitioner in the trial Court, which aspect is to be considered by the Court concerned in the circumstances of the case.

Keeping in view the fact that the petitioner is suffering from medical ailments and he may require spinal surgery in near future, the interim bail already granted to the petitioner in terms of the order dated 09.07.2020 passed in CRM-M-14566-2020 is extended till 30.06.2021 and he will surrender on 01.07.2021.

The petition is, accordingly, disposed of.

24.02.2021
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(VIVEK PURI)
JUDGE

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