

Date of Decision: 08.02.2021.

.....*Petitioner*

V/s.

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Rajesh Lamba, Advocate,
for the petitioner.

Mr. Rajiv Goel, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of interim regular bail to the petitioner in case FIR No.303, dated 02.06.2020, registered under Sections 147, 149, 307, 323, 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 (Sections 186, 353, 120-B, 325 of the IPC added later on) at Police Station Mujesar, District Faridabad, Haryana.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 24.01.2018. He has further submitted that the petitioner sustained a fracture in his heels for which he was admitted in the Civil Hospital, Faridabad w.e.f. 26.11.2020 to 29.11.2020. Hence, the petitioner may be granted concession of interim regular bail for the purpose of follow-up treatment/surgery and proper rest on account of his medical condition as he requires proper nursing which is not possible inside the jail.

Per contra, learned State counsel while opposing the submissions and prayer of the learned counsel for the petitioner, on instructions from ASI Bhajan Lal, has referred to the medical report of the Medical Officer, District Prison, Faridabad wherein it was stated that the petitioner was being managed conservatively with appropriate medication as surgical intervention is unlikely to give favorable results.

Heard.

In view of the aforesaid, the instant petition is hereby disposed of with directions that the petitioner be admitted on interim bail to the satisfaction of the trial Court/Duty Magistrate. The petitioner shall be released on 10.02.2021 at 10.00 A.M. and he shall surrender back on 24.02.2021 by 4.00 P.M positively. It is made clear that no application shall be entertained for the extension of interim bail granted to the petitioner in any case.

February 8, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : *Yes /No.*

Whether Reportable : *Yes/No*