

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. **CRM-M-10524-2022**

DATE OF DECISION: MARCH 23, 2022

NISHANT @ NISHU ...PETITIONER

VERSUS

STATE OF HARYANA ...RESPONDENT

2. **CRM-M-10526-2022**

NISHANT @ NISHU ...PETITIONER

VERSUS

STATE OF HARYANA ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. S.S. DUHAN, ADVOCATE FOR THE PETITIONER.
MR. BHUPENDER SINGH, DAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed two separate petitions under Section 439 Cr.P.C. for grant of interim bail in case FIR No.389 dated 13.11.2021 under Section 279, 336, 34, 379B, 397 IPC (Section 201 IPC added later on) and Section 25, 54, 59 Arms Act, 1959, and FIR No.390 dated 13.11.2021 under Section 307, 34, 120-B IPC and Section 25, 54, 59 Arms Act, 1959, Police Station IMT Rohtak, District Rohtak.

Learned counsel for the petitioner has argued that the petitioner had suffered fracture of his both legs and underwent surgery. But after the operation, he has developed some complications, and therefore, he wishes to take treatment from Super Specialty Hospital at Rohtak. In support of his prayer, he has relied upon the report dated 21.2.2022 (Annexure P-2) by the

Medical Officer, District Jail, Rohtak. He prays for interim bail.

On 11.3.2022, learned State counsel sought time to verify the ground raised by the petitioner. Today, learned State counsel has produced the medical status report of the petitioner dated 14.3.2022, by the Medical Officer, District Jail, Rohtak. The same reads as under:-

“It is submitted that the petitioner Nishant @ Nishu S/o Rajesh @ Raje, Age about 20 years was admitted in this jail on dated 14/12/21. At the time of admission his both legs has been operated due to fracture in bone of legs. The surgery was done on 26/11/2011. Now he is complaining of pain in the operated legs and pus discharge from the operated part. He is also complaining of difficulty in weight bearing. So that the petitioner referred to the PGIMS, Rohtak in Orthopaedic department for further follow-up.

It is further submitted that he visited the opd of Jail hospital several times with Complaint of Gastritis, Pus discharge from operated part. Fungal Infection & Pain in legs for which he is being treated accordingly. He was sent to PGIMS, Rohtak on dated 22/12/21, 30/12/21, 05/01/22, 15/02/2022, 23/02/2022, 09/03/2022 vide Ortho & Surgery UHID No.3473092. The prescribed treatment is being provided to him regularly by the medical officer on duty. At present his general condition is stable and it is ensure that he will be sent to PGIMS, Rohtak as and when required. The report is submitted.

Dated:14-3-2022

*Sd/- Medical Officer
District Jail Rohtak”*

After hearing the learned counsel for the parties and considering the above background, this Court is of the opinion that the

limited prayer made by the petitioner deserves acceptance.

Resultantly, both the petitions are allowed and it is ordered that the petitioner be released on interim bail for four weeks in the above cases, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petitioner is directed to surrender himself before the concerned Jail Authorities on 22.4.2022, before 5.00 p.m.

March 23, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No