

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

**CRM-M-12511-2022
Date of Decision: 25.03.2022**

Randeep Gill @ Rindhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

JASGURPREET SINGH PURI, J.(ORAL)

1. The present petition has been filed under Section 482 read with Section 439 of the Code of Criminal Procedure for the grant of interim bail pending trial to the petitioner in FIR No.0152, dated 23.10.2020 under Sections 302, 307, 148, 149, 295-A, 34 IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 registered at Police Station Division-C, District Police Commissionerate, Amritsar.

2. Learned counsel for the petitioner has submitted that wife of the petitioner is suffering from spine problem and there has been a recommendation for spine surgery and he has referred to Annexure P-2, which is the report of M.R.I Scan Centre and also prescription by one Dukh Niwaran Hospital, Multi Super Specialty Centre, Amritsar, that she requires a surgery.

3. I have heard the learned counsel for the petitioner.

4. The present petition has been filed for seeking grant of interim bail to the petitioner on the ground that wife of the petitioner requires a surgery. However, a perusal of the Annexure P-2 would show that so far as the diagnostic laboratory report is concerned, the same rather says that there is no

signal intensity and so far as L4-L5 disc level is concerned, the same has mild facetar arthropathy and so far as the recommendation by the doctor is concerned, it is not discernible from the certificate issued by the doctor, who is from the private hospital as to what is his qualification and as to whether he is an orthopaedician or not and as to whether he is an expert in spine problem or not. There is nothing on record to show that surgery opinion has been obtained from a person who is specialist in that field.

5. Ordinarily, this Court would not go into the interpretation and wisdom of the doctors concerned because the Courts are not expert in giving their own opinion but when on the face of it nothing is shown that such recommendation or advise has been made by any specialist doctor then the Court would certainly refrain itself from proceeding further with regard to grant of interim bail on the scant grounds.

6. Therefore, in view of the facts and circumstances of the present case, this Court does not deem it fit and proper to grant the concession of interim bail pending trial to the petitioner. Consequently, finding no merit in this petition, the same is hereby dismissed.

7. However, in case, the wife of the petitioner in future is actually required to undergo a surgery then the petitioner shall be at liberty to invoke the jurisdiction of this Court in case a genuine report from any appropriate specialty/hospital pertaining to spine and preferably from the Government hospital is produced.

8. It is made clear that the aforesaid observations would not mean anything on the merits of the case, as the same are only for the purpose of deciding the present petition.

(JASGURPREET SINGH PURI)
JUDGE

March 25, 2022

Manpreet

MANPREET SINGH
2022.03.30 17:53
I attest to the accuracy of
this order.

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