

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CRM No. M-13299 of 2022
Date of Decision : 19.04.2022

Gajender Singh alias Gajinder Singh Rajput

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jagmohan S. Ghuman, Advocate for the petitioner.

Mr. Raman Kumar Sharma, Addl. Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed for the grant of interim bail on medical grounds keeping in view the health of the mother of the petitioner, who is suffering from Cancer and that too at an aggravated stage on the ground that she needs care and assistance of the petitioner keeping in view her ailment as there is no one else to look after her so that the mother is able to undergo treatment required for the said ailment.

A status report has been filed by the police, wherein, ailment being suffered by the mother of the petitioner has not been disputed. It has been mentioned in the status report that the brother of the petitioner, who is in Indian Army is serving nation in Jammu & Kashmir and father of the petitioner, who is a senior citizen, is the only one who taking care of his ailing mother.

Learned counsel for the petitioner submits that though the father is there with the mother but as he is senior citizen, he is not able to take proper care of his wife i.e. the mother of the petitioner, as required under the present circumstances and, therefore, petitioner may kindly be granted the interim bail.

Learned counsel for the petitioner has undertaken that petitioner will not only abide any condition imposed by this Court but also the condition, if any, imposed by the Duty Magistrate/Illaq Magistrate and will also maintain a good conduct while on interim bail and will not influence the trial or the witnesses in any manner.

Notice of motion.

Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

Learned State counsel submits that the material witnesses have already been examined though, out of the total 25 material witnesses only 9 have been examined so far.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the mother of the petitioner is suffering from an ailment of Cancer and that too at an advanced stage and father of the petitioner, who is also senior citizen, is not able to take care of his wife as required in the circumstances and the brother of the petitioner is serving nation in Indian Army and is posted at Jammu & Kashmir and cannot look after his ailing mother, especially, when it has been brought to

the notice of this Court that the material witnesses have already been examined, request of the petitioner for the grant of interim bail is allowed.

The petitioner is granted interim bail starting from 22.04.2022 till 22.05.2022 subject to the satisfaction of learned Duty Magistrate/Illaq Magistrate concerned. Petitioner is directed to report back on 22.05.2022 by 5.00 p.m. before the jail authorities and reporting back of the petitioner before jail authorities be informed to this Court as well.

Present petition is disposed of in above terms.

April 19, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No