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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-25747-2022
Date of Decision: 02.06.2022**

Rajender Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. P.S. Sekhon, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition is filed under Section 439 and 482 of the Code of Criminal Procedure for grant of extension of two weeks of interim bail granted to the petitioner in case FIR No.106 dated 15.04.2020, under Section 22-C & 29 of the NDPS Act, registered at Police Station Civil Lines Kaithal, District Kaithal.

It has been submitted by learned counsel for the petitioner that the petitioner has filed a regular bail petition before this Court in CRM-M-38211-2020, which is pending. He further submitted that the petitioner is in custody for about 2 years, 1 month and 15 days and an emergency arose to the wife of the petitioner as there was an acute pain in the stomach which was diagnosed as gallbladder stone and she is also suffering from tumor in uterus and therefore, in those circumstances, he moved an application for grant of interim bail before the learned Additional Sessions Judge, Kaithal

and on the basis of the medical emergency, he was granted interim bail for three days only i.e. from 31.05.2022 to 02.06.2022, although he had prayed for one month interim bail. He also submitted that within three days neither any date for surgery could be fixed nor any arrangement could be made for undertaking the surgery, since the time was very short. He further submitted that the wife of the petitioner is constantly suffering from pain and now the surgery is to be undertaken not only for gallbladder stone but also for tumor in the uterus. He also submitted that in view of the aforesaid urgent medical situation, the petitioner may be granted interim bail for further period of two weeks. He further submitted that in pursuance of the order dated 30.05.2022 passed by the Additional Sessions Judge, Kaithal for granting interim bail to the petitioner, he has already furnished bail bonds and has been released on bail and has sought extension for another period of two weeks from this Court.

Notice of motion.

Ms. Shivani Sharma, AAG, Haryana, accepts notice on behalf of the respondent/State and has submitted that a perusal of the order dated 30.05.2022 passed by the learned Additional Sessions Judge, Kaithal shows that the petitioner has been released on interim bail on the basis of medical emergency of the wife of petitioner.

I have heard the learned counsel for the parties.

It is a case where the petitioner has been granted interim bail by the learned Additional Sessions Judge, Kaithal but only for three days so that the petitioner can attend to his wife, who is suffering from an acute pain in the stomach due to gallbladder stone and apart from the same, as per

the learned counsel for the petitioner surgery of tumor in the uterus is also to be undertaken. After considering the submission made by learned counsel for the parties and on the perusal of the orders passed by the learned Additional Sessions Judge, Kaithal, this Court is of the view that in view of the emergent medical reasons as aforesaid, it will be just and proper to extend the interim bail of the petitioner especially in view of the fact that the petitioner is still an undertrial and has faced incarceration for about 2 years, 1 month and 15 days. Consequently, the present petition is allowed and the interim bail of the petitioner shall be extended from 02.06.2022 to 20.06.2022.

It is directed that the petitioner shall surrender before the Jail Authorities at Kaithal at 10.00 a.m. sharp on 20.06.2022.

A copy of this order be sent to the Superintendent of Jail, District Kaithal for compliance purposes.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

02.06.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |