

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

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CRM-M-50810-2021 (O&M)

Date of Decision: 12.01.2022

Mohammad Assim

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Amit Gupta, Advocate for the petitioner.

Mr. H.S.Multani, AAG Punjab.

ALKA SARIN, J. (Oral)

Taken up through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred to as, 'CrPC') for grant of interim bail to the petitioner on account of illness of his wife, Smt. Roshan Jahan, in FIR No.142 dated 27.11.2016 for offences under Sections 307, 392, 223, 224, 120-B, 148, 149, 201, 419, 170, 171, 353, 186, 212, 216, 489 of the Indian Penal Code, 1860 (for short, 'IPC'), Section 25 of the Arms Act, 1959 (subsequently added Sections 11, 13, 16, 17, 18, 20 of Unlawful Activity (Prevention) Act, 1967) and Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kotwali, Nabha, District Patiala.

In the present petition the petitioner is seeking interim bail on the ground that his wife Smt. Roshan Jahan was not feeling well and was admitted in the hospital and was stated to be suffering from a heart issue.

The State counsel was directed to get instructions regarding the medical condition of wife of the petitioner. Learned State counsel, on instructions received from ASI Chamkaur Singh, states that wife of the petitioner has since been discharged from hospital on 13.12.2021 and is keeping well.

Heard.

In the present case the prayer has been made for release of the petitioner only on the ground of medical condition of his wife. Though in the petition it has been mentioned that the petitioner's wife is suffering from some heart-ailment, however, a perusal of the medical certificate issued by Aman Hospital, where the petitioner's wife is stated to have been admitted, reveals that she is suffering from dyspnoea suffocation. It further states that she was diagnosed as a case of severe exertion and allergic bronchitis. There is no mention of any heart ailment as stated by the learned counsel for the petitioner.

As per the instructions received by the learned counsel for the State, the petitioner's wife has since recovered and has since been discharged from the hospital.

In view of the above, I do not find any ground to grant interim bail to the petitioner.

Dismissed.

January 12, 2022
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO