

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

207

**CRM-M-51501-2021
Decided on : 25.04.2022**

Abhijit

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Punit Malik, Advocate
for the petitioner(s).

Mr. Rohit Arya, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking extension of interim bail for a period of another six weeks in continuation to the interim bail granted to him by this Court vide order dated 25.10.2021 (Annexure P-1) in case FIR No. 25, dated 03.03.2021, under Sections 354-C, 376(2)(n), 406, 506, 120-B of IPC, 1860 and Section 3 of the SC/ST Act, 1989, registered at Women Police Station, Gurugram, District Gurugram.

Learned counsel for the petitioner submits that since the medical condition of the petitioner continues to be unstable and serious, and during the pendency of the instant petition, he has developed tumors, he be enlarged on bail or in the alternative be extended the concession of interim bail. It has been submitted that after the expiry of the interim bail granted to the petitioner, he has since returned to the Distt. Jail at Gurugram, where he has been lodged ever since his arrest.

On the last date of hearing, the learned State counsel had been directed to verify the authenticity of the submissions made by the counsel opposite with respect to the latest medical condition of the petitioner. Learned State counsel has placed on record the status report dated 13.04.2022 by way of affidavit of Surinder Kaur, HPS, Assistant Commissioner of Police, CAW, Gurugram, on behalf of the respondent-State, in Court today. Same is taken on record, subject to all just

exceptions.

Learned State counsel submits that after the expiry of the interim bail granted to him by this Court, the petitioner has surrendered back and is now lodged in District Jail, Gurugram, where, his condition is being continuously monitored by the Jail Doctor. Learned State counsel further submits that in addition to this, he is being taken to the PGIMS, Rohtak for regular follow-ups. In support, the learned State counsel has referred to the medical report dated 12.04.2022 of the Medical Officer (Prison), District Prison, Gurugram, wherein, the Doctor has categorically observed that the health condition of the petitioner is stable.

Learned State counsel submits that in case the petitioner would have developed tumors, as submitted by the counsel opposite, the said fact would have definitely been noticed/reported by the Jail Doctor, however, no such report has been given by the trial Court.

I have heard learned counsel for parties and perused the material on record.

As per the report of the Medical Officer (Prison), the condition of the petitioner is stable and he is being regularly monitored not only by the Prison Doctor, but also is being taken to PGIMS, Rohtak for his follow-up. This Court in the circumstances, does not deem it fit to extend the concession of interim bail to the petitioner.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

April 25, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*