

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

CRM-M No.24952 of 2023

Date of decision: 4th July, 2023

Satbir

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.K. Saini, Advocate for
Mr. Sunil Saharan, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.301 dated 28.04.2021 under Sections 147, 148, 149, 302, 323, 506 IPC registered at Police Station Sadar, District Hisar.

2. Vide order dated 01.06.2023, the petitioner was granted interim bail for getting himself treated from specialist/doctor for his kidney ailment and also for making arrangements for his kidney transplant.

3. Learned counsel for the petitioner submits that in terms of the order dated 01.06.2023 passed by this Court, the petitioner has already surrendered back before the jail authorities. He has further submitted that the petitioner has been put on some medications by a doctor from Jaipur and hence, he be enlarged on regular bail, or in the

alternative, the interim bail granted to the petitioner be extended. Learned counsel has also placed on record various reports of the medical tests carried out on the petitioner at Jaipur, which are taken on record, subject to all just exceptions. A perusal of the discharge report of Vaishali Hospital, Jaipur, where the petitioner was admitted for two days, reveals that he was discharged from the said hospital with stable vitals on medical management. Learned counsel for the petitioner has however, failed to bring to the notice of this Court any medical advice of the treating doctor at Vaishali Hospital Jaipur, with respect to further management of the medical ailment of the petitioner, much less any schedule for his purported kidney transplant for which he had been extended interim bail by this Court.

4. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Shashi Karan, has contended that the petitioner was already being treated for his renal problem by the jail doctor and from PGIMS, Rohtak. Still further, as no date had been fixed for the kidney transplant of the petitioner, for which he had been extended the concession of interim bail, his prayer for enlarging him on regular bail be declined.

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

6. The medical reports, which have been placed on record by the learned counsel for the petitioner, are completely silent about any further treatment, which may have been advised by the doctors in Jaipur, nor has any opinion of a renal specialist been placed on record

qua the schedule of his kidney transplant. In the absence of any medical opinion/advice qua further medical management of the petitioner, no ground for extending interim bail is made out much less for extending the concession of regular bail in view of the allegations levelled against him in the FIR in question.

7. In the facts and circumstances as enumerated hereinabove, the petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 4, 2023
rps

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