

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

CRM-M-26196-2023 (O&M)

Date of decision : 01.06.2023

Netra Pal

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajender Kumar, Advocate for the petitioner.

Mr. Sukhdeep Parmar, Sr. DAG, Haryana.

Mr. Shiv Kumar, Advocate for the complainant.

MANOJ BAJAJ, J.

CRM-23526-2023

Application is allowed as prayed for.

Main case

This petition has been filed under Section 439 Cr.P.C for grant of interim regular bail for a period of 45 days to the petitioner in case FIR No.409 dated 10.09.2019 under Sections 148, 149, 302 and 307 Indian Penal Code, 1860 and Sections 25, 54, 59 Arms Act, 1959 registered at Police Station Dabua, District Faridabad to enable him to attend his ailing wife, namely, Kamlesh, who is to undergo surgery.

Learned counsel for the petitioner has argued that vide order dated 20.04.2023, the petition for interim bail was dismissed by the trial Court. He submits that wife of the petitioner is suffering from wound on her lower part of the back, who has been advised surgery. In this regard, he has

invited the attention of the Court to opinion of the doctor annexed as Annexure P-5. He prays for interim bail.

While opposing the prayer learned State counsel assisted by ASI Ashok has invited the attention of the Court to the status report filed by way of affidavit of Abhimanyu Goyat, HPS, Assistant Commissioner of Police, Badkhal, Faridabad, to contend that the brothers of petitioner are his neighbours and his close relatives are available to take care his ailing wife for the scheduled treatment. The above apart, it is also mentioned in the status report that there are 11 cases registered against the petitioner including the proceedings under Section 174-A IPC, therefore, he does not deserve the concession of interim bail.

Upon considering the submissions of the learned counsel for the parties, it comes out that the petitioner is not the only one who can take care of his ailing wife as his close relatives, who are residing near the residence of the petitioner can also very well take care of the patient.

During the course of hearing, the above fact is not disputed by learned counsel for the petitioner.

Resultantly, without meaning any expression of opinion on the merits of the case, no case is made out for releasing the petitioner on interim regular bail.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

01.06.2023

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