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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45576-2023 (O&M)

Date of Decision: 06.12.2023

Manu Parshant Wig

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Keshav Pratap Singh, Advocate, for the petitioner.

Mr. Vijesh Sharma, Addl. AG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. Reply filed by the State is taken on record.
2. The present petition has been filed under Section 439(A) read with Section 482 of the Code of Criminal Procedure for grant of interim bail for a period of one month to the petitioner on the ground of acute illness of the mother, father and brother of the petitioner.
3. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the FIR was registered under Sections 420 and 406 IPC and the subject matter of the allegations in the present FIR were only to the extent of Rs.2,50,000/-, although there are some other cases against the petitioner of similar nature. He submitted that be that as it may now the affidavit has been filed by the State and while referring to the affidavit, he submitted that the petitioner has one brother and one sister. The aforesaid

brother of the petitioner is a patient of severe kidney disease and he had already received one kidney transplant and is not able to take care of the parents. While further referring to the affidavit, he submitted that the mother of the petitioner is also having breast cancer and it is also stated in the affidavit that lump has been detected in the breast and, therefore, she also needs surgery although no date has been fixed because there is nobody to take care of the mother. So far as the father of the petitioner is concerned, he is also having tongue cancer and was admitted in the Tata Cancer Hospital, Mumbai. He submitted that considering the aforesaid affidavit which has been filed by the State, although none of the parents are as of today admitted in the hospital but they have to undergo the surgery and considering the allegations in the present FIR, he only needs an interim bail so that he can get the surgery of his parents conducted because there is no other member to look after the parents. He also submitted that the investigation of the case has already been completed and challan stands presented and even otherwise also, he has already faced incarceration from 03.04.2023.

4. Mr. Vijesh Sharma, learned Additional Advocate General, Haryana has submitted that as per the affidavit, none of the parents of the petitioner is at present admitted in the hospital but so far as the ailments of the parents and brother of the petitioner are concerned, the same have been so stated in the affidavit in detail.

5. I have heard the learned counsel for the parties.

6. The only prayer made in the present petition is for grant of interim bail on medical grounds of the parents and brother of the petitioner.

The petitioner has prayed for interim bail for a period of one month, so as to

take care of his parents and they can be taken to the hospital for the purpose of surgery. A perusal of the affidavit filed by the State would show that both the parents of the petitioner are suffering from acute ailments of cancer and the brother of the petitioner is also a kidney patient and has received kidney transplant few years ago. After hearing the learned counsel for the petitioner and considering the allegations in the present petition and the fact that the investigation of the case is already complete and the present is a case which is triable by Magistrate, this Court is of the view that the petitioner deserves the concession of interim bail.

7. Consequently, the present petition is allowed. The petitioner shall be released on interim bail for a period of one month subject to his furnishing bail bond/surety bond to satisfaction of the trial Court/Duty Magistrate concerned. The time and date of release and surrender shall be fixed by the learned trial Court/Duty Magistrate concerned.

06.12.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No