

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.48522 of 2023
Date of decision : 02.11.2023

Manoj @ Moja

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Pooja Jaglan, Advocate for
Mr. Aman Pal, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana.

Mr. Sandeep Puri, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Present second petition has been filed under Section 439 read with Section 482 Cr.P.C. for grant of interim bail to the petitioner for the period of four weeks for the treatment of mother of petitioner, who is to undergo the knee transplant surgery.

After notice, State was directed to file status report which has been filed by way of an affidavit of Nar Singh, HPS, Assistant Commissioner of Police, City-I, Sonipat, wherein it has been mentioned that on inquiry from the Hospital i.e. PG Resident, Department of Sports Medicine, Sports Injury Centre, VMMC & Safdarjung Hospital, New Delhi, the operation of mother of the petitioner was fixed for 20.10.2023. It has also been mentioned that there are other family members i.e. Uncles of

the petitioners and his wife, namely, Antima available to look after the mother of petitioner and presence of the petitioner is not required. It is further stated that another case bearing FIR No.322, dated 01.03.2022, under Sections 336, 506, 34 IPC and 25/27 of Arms Act has been registered against the petitioner at Police Station Tilak Nagar, Delhi.

Learned counsel for the complainant has also filed his reply by strongly opposing the interim bail sought by the petitioner.

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

The present case pertains to the offence under Sections 302, 120-B, 34 IPC & 25 of Arms Act. In view of the gravity of offence alleged to have been committed by the petitioner and also the registration of another criminal case against the petitioner, this Court does not find any justification for granting him interim bail for the purpose mentioned in the petition as other family members of the petitioner as stated in the affidavit of Nar Singh are available to take care of mother of the petitioner in case her knee surgery is done.

In view of the above position, this Court does not find any merit in the present petition, accordingly, the same stands dismissed.

(RAJESH BHARDWAJ)
JUDGE

02.11.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No