

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

**CRM-9405-2023 in/and  
CRM-M- 57440-2022(O&M)  
DECIDED ON: 03.05.2023**

Sanjay

.....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr.Ajay Kripal Singh, Advocate,  
for Mr. Aman Pal, Advocate, for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

Mr. Hitesh Malik, Advocate,  
for the complainant.

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**GURBIR SINGH, J**

Prayer in the present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No.87 dated 08.03.2022, under Sections 148, 149 and 302 IPC and 25/54/59 of Arms Act, registered at Police Station Julana, District Jind.

Learned counsel for the petitioner, at the outset, has submitted that at this stage, he only prays for grant of interim bail to the petitioner as petitioner suffered a paralytic attack on 19.01.2023 i.e during custody and he suffered a facial paralysis; he is a chronic patient of hypertension. Providing proper treatment to the petitioner is necessary. Otherwise his life is in danger. It is further argued that petitioner is uncle

of the main accused and has been implicated solely on this ground. No overt act has been attributed to the petitioner.

Learned State counsel assisted by learned counsel for the complainant has opposed the request made by the petitioner for grant of interim bail.

Heard.

Status Report dated 10.03.2023 by way of affidavit of Sh. Sanjeev Kumar, Deputy Superintendent of Jail, Jind is already placed on the record, relevant para no.2 of the same is reproduced as under:-

*“2. That the medical Certificate submitted by the Medical Officer, District Jail, and in respect of Sanjay S/o Umed is enclosed here with as **Annexure R-1**, perusal of the same reveals that the under trial prisoner Sanjay S/o Umed Singh was admitted in this jail on 11.03.2022 in FIR No 87 dated 08.03.2022 P.S. Julana, Jind U/s 148/149/302 IPC & 25/54/59 Arms Act and during Medical Examination by the Medical Officer District Jail, Jind at the time of admission the under trial prisoner disclosed that he is suffering from Hypertension since last 05 years. The above said prisoner was regularly getting treatment from Medical Officer District Jail, Jind as well as he was referred to Civil Hospital Jind for his treatment of **Grade-II Hypertension** regularly. He has been referred by Medical Officer District Jail, Jind to Civil Hospital Jind 11 times and PGIMS Rohtak 11 times for proper checkup and treatment. All tests including **ECHO/MRI Brain** etc have been done and Doctors have prescribed him medicines accordingly which are been given to the prisoner. On 19.01.2023 the above said prisoner had **Facial Paralysis** and not full Paralytic attack for which he was referred to Civil Hospital Jind in emergency on 19.01.2023 by the Medical officer District Jail, Jind after seeing the condition of the prisoner. Again on 21.01.2023 he was referred by the Medical Officer District Jail, Jind to PGIMS Rohtak where he was checked and tests*

*were done by the Doctors and medicines prescribed accordingly.”*

In view of the medical condition of the petitioner, he requires urgent and proper treatment. Although he is being provided treatment from PGIMS Rohtak but he is lodged in District Jail Jind and he is not satisfied with the said treatment. It is the duty of the State to protect life and liberty of each and every individual including under trials.

Without discussing on the merits of the case but strictly on the medical ground, petitioner is granted interim bail for a period of thirty days w.e.f 05.05.2023 for getting treatment on furnishing personal bonds with two sureties of the like amount, out of which one surety shall be given by the resident of District Jind, to the satisfaction of trial Court/Duty Magistrate concerned. Petitioner shall submit his passport in the trial Court, if not yet issued any passport, then an affidavit to that effect be also filed by him.

Main petition i.e CRM-M-57440-2022, is dismissed as withdrawn, at this stage, while CRM-9405-2023 is allowed in the above terms.

**03.05.2023**  
mamta

**(GURBIR SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No