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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.48869 of 2024
Decided On: 03.10.2024

Harkirat Singh...Petitioner

Versus

State of Punjab...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
79	16.07.2020	City Zira, District Ferozepur	406, 419, 420, 467, 468, 471, 384, 120-B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 BNSS, seeking regular bail.
2. Per paragraph 14, the petitioner is stated to be involved in 01 more case, however as per custody certificate/ reply, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	01	21.02.2023	Under sections 406, 420, 465, 467, 468, 471, 384, 120-B IPC	State Crime Punjab, SAS Nagar (Mohali)
2.	87	11.03.2024	Under sections 406, 420, 465, 468, 471, 120-B IPC	Sohana

3. Earlier vide order dated 30.08.2024 passed by this Court in CRM-M-20425-2024, bail of the petitioner in the FIR captioned above, was dismissed.
4. Now, the petitioner has come up again before this Court seeking regular bail on the medical grounds for a period of three months.
5. The State’s counsel opposes bail and refers to the reply.
6. It would be appropriate to refer to the following portions of the reply, which read



as follows:

"3. That as per order of Hon'ble High Court, the jail medical officer has issued the medical report of the petitioner and same has been reproduce here "Harkirat Singh son of Harinder Singh aged 46 years is admitted in this jail on 24-11-2023 as undertrial. The above said petitioner gave complaint of Pain abdomen alongwith altered Bowel movements with abdominal discomfort. As per record he was sent to Civil Hospital, Ferozepur on 27-08-2024 where he remained admitted till 29-08-2024. He was managed conservatively there and discharged on oral medication on 29-08-2024. On 30-08-2024 he was again sent to Civil Hospital, Ferozepur in lieu of abdominal distention and discomfort from where he was referred on Guru Gobind Singh Medical College/Hospital, Faridkot on 31-08-2024. He got admitted in Guru Gobind Singh Medical College/Hospital, Faridkot on 31-08-2024 where he was diagnosed with Perforation Peritonitis and underwent Exploratory Laparotomy with Right Hemicolectomy with Mucous Fistula formation under GA. His intra OP findings where fecopurulent fluid about 200ml present in the peritoneal cavity. Also seen was a perforation of about 2X2 cms in the Caecum along with multiple serosal tears present in Ascending Colon.

There was also a Constricting ring at Recto Sigmoid junction. His CECT was also done which showed Pneumoperitoneum and mild ascites. Also showed zone of transition in Sigmoid colon. ?Infective, ?Neoplastic. His Histo Pathology Examination showed sections from Omentum which showed Fibro Adipose tissue along with dense mixed inflammatory infiltrate.

He was discharged on 27-09-2024 and was advised referral to OPD (Gastro Surgery) at PGI Chandigarh for further consultation and management of stenosis in Sigmoid Colon? Benign Etiology. He was discharged on Oral medication from Guru Gobind Singh Medical College & Hospital, Faridkot and also advised for a specific Diet Chart which consists of Soft diet, Soup, Eggs, Fruits without seeds, Juice and advised to avoid Raw Leafy vegetables. He will be sent to PG1 Chandigarh in coming days for his further needed consultation and management. He is currently admitted in jail Hospital under observation & his condition is stable".

7. Given the above, this court considers it appropriate on humanitarians grounds to grant him time to recoup and take care of his health and is inclined to grant him bail.

8. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on interim bail for a period of three months in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.



9. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

10. This order is subject to the petitioner’s complying with the following terms.

11. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

12. Petitioner shall surrender in the jail from where he was released after three months on 05.01.2025.

13. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

14. **Petition allowed** in terms mentioned above. Liberty reserved to come again for extension of interim bail till pendency of trial by annexing all medical record. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

03.10.2024
Sonia Puri

Whether speaking/reasoned: Yes
Whether reportable: No.