



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

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CRM-M-2199-2025 (O&M)

Date of decision: 16.01.2025

Rajesh**.....Petitioner****Versus****State of Haryana and anr.****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Anoop Singh Sheoran, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**Crl.M.No.1446 of 2025**

Prayer in the instant application filed under Section 528 of BNSS, 2023 is for grant of exemption from filing the identity proof of the petitioner.

Allowed, as prayed for.

CRM-M-2199-2025

This is a petition under Article 226/227 of the Constitution of India for issuance of a direction to respondent No.2 to decide the representation dated 20.12.2024 moved by the petitioner by considering the facts of the instant case.

Learned counsel for the petitioner would contend that despite representation made on 20.12.2024 (Annexure P-2), the Superintendent of Jails, Hisar has not taken any action whatsoever to get the petitioner medically examined so that necessary treatment could be provided being patient of coronary artery disease. His angioplasty was conducted twice in the year 2018 at AIIMS, Rishikesh and thereafter in the year 2021 at AIIMS, Delhi.

Notice of motion.

Mr. B.S. Virk, Sr. DAG, Haryana who is present in Court accepts notice on behalf of respondent-State.

Petitioner is lodged at Central Jail, Hisar since 20.11.2024.

Considering the nature of disease pointed out by him is such that he needs to be

medically examined with proper attention being required and an accused has his



fundamental right of medical treatment as enshrined under Article 21 of the Constitution. Respondent-State at the same time is duty bound to take all the necessary steps in that regard even under the relevant clauses of the Jail Manual for the prisoners.

Learned State counsel would inform the court that necessary medical examination and the treatment as advised by the medical experts would be provided to the petitioner. At the first instance, the Superintendent, Central Jail-2, Hisar is directed to get the petitioner examined within a period of three days from today from a Cardiologist as advised thereafter for further check up and treatment.

With the aforesaid observation, petition stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

16.01.2025
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- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No