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

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**CRM-M-29473-2025
Date of decision: 26.05.2025**

ARVIND KUMAR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH. J.(Oral)

1. Petitioner-Arvind Kumar, has filed the instant petition seeking interim bail for a period of eight weeks, in case FIR No. 0001 dated 09.01.2018 u/s 420, 406, 467,468, 471, 201 IPC, registered at Police Station City Vigilance Bureau (Now Stand transferred to Anti corruption Bureau), Hisar, District Hisar.
2. Regular bail of the petitioner was dismissed by the Court of Sessions on 30.04.2025 (P-3). While dismissing, the said Court noticed that the total amount misappropriated by petitioner-Arvind Kumar is Rs.80,86,365/-.
3. Through instant petition, petitioner has sought interim bail by projecting himself to be unwell because during his confinement, petitioner was taken to Maharaja Agarsen Civil Hospital, Hisar, on 16.04.2025, where he was



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advised surgery for “UMBILICAL HERNIA”, but subsequently he was taken back to the jail, where again complications occurred.

4. On 19.05.2025, there was a severe pain in the stomach of the petitioner and thereupon he was again taken to civil hospital, where again the surgical opinion was advised. Instead of taking surgical opinion, he was brought back to the jail by the Jail Authorities.

5. This Court has noticed that all the offences are triable by the Court of Magistrate, and therefore, at the first instance, such an application is expected to be moved before the Magisterial Court. If it fails there, it may then be moved to the next court, i.e., the Court of Sessions.

6. From the order of dismissal of regular bail of the petitioner, it is found that no where, plea of health problem was taken by the petitioner and therefore, same is neither argued nor discussed.

7. Therefore, petition is disposed of by observing that if there is any persistent medical problem, petitioner is expected to approach the Courts below, in case need arises.

8. The petitioner shall be at liberty to move the application before the courts below as and when he chooses. In the event of filing such an application, the same shall be decided without any delay, within a period of one week.

9. It is also clarified that since the regular bail petition filed by the petitioner has already been dismissed by the Court of Sessions, any petition filed before this Court challenging the said order shall not be considered by the courts below as a bar to consider the interim bail application.

10. However, if any such plea is raised and decided, the fact shall be



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brought to the notice of this Court as and when any subsequent regular bail application is filed and comes up for consideration.

11. Petition stands disposed of.

26.05.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No