



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

**216**

**CRM-M-34115-2026 (O&M)**

**Date of decision: 25.06.2026**

Som Nath

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Mr. Ravi Malik, Advocate  
for the petitioner.

Mr. Rajiv Malhotra, DAG, Haryana.

**HARPREET SINGH BRAR J. (Oral)**

1. Prayer in this petition filed under Section 483 of BNSS, 2023 (corresponding to Section 439 of Cr.P.C.) is for grant of interim regular bail to the petitioner for a period of 08 weeks in case FIR No.20 dated 16.01.2025 registered under Sections 316(2), 318(4) and 61(2) of BNS, 2023 (erstwhile Sections 406, 420 and 120-B IPC) at Police Station Mahesh Nagar, District Ambala.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is suffering from 3<sup>rd</sup> Stage Cancer i.e. Carcinoma Soft Palate, which was detected on the basis of biopsy report and the said disease is life threatening. He refers to the medical history of the petitioner as recorded by the Medical Officer, Central Jail, Ambala, which reads as follows:-



- i. 25.02.2026: Jail Dental Surgeon found "red patch 2 x 2 cm on palatal area (Smokers Palate)". Advised soft diet + referred for biopsy at Civil Hospital Ambala Cantt.
  - ii. 27.02.2026: Dr. Amita Batra, Dentistry, Civil Hospital Ambala Cantt performed Biopsy of Palate.
  - iii. 16.04.2026: Dr. Roshani Vyas, Radiation Oncology, diagnosed applicant as "known case of Carcinoma Palate". Advised CEMRI Neck, CXR, USG Whole Abdomen.
  - iv. 27.04.2026: USG Whole Abdomen - "Grossly normal, No evidence of Metastasis". MRI Neck - "Biopsy proven Neoplastic lesion" at hard palate-soft palate junction.
  - v. 29.05.2026: Referred to Radiation Oncology. Dr. Roshani Vyas advised oncosurgeon opinion. Surgical Oncology Dr. Anuj Kumar opined patient planned for Radiation Therapy.
  - vi. 30.05.2026: Atal Cancer Care Centre, Civil Hospital Ambala Cantt diagnosed Carcinoma Soft Palate and planned NACT X2 + FIB CART i.e. Neoadjuvant Chemotherapy 2 cycles, Fascia Iliaca Block, before CAR-T therapy. Applicant has undergone 1 cycle of chemotherapy and prescribed oral medications.
  - vii. 05.06.2026: Dr. Vikas Gupta, Atal Cancer Care Centre prescribed oral medicines for 30 days. Next investigation due on 25.06.2026 and next Chemotherapy due on 26.06.2026.
3. Learned counsel for the petitioner further refers to the MRI report dated 27.04.2026, to substantiate his averments.
4. *Per contra*, learned State counsel has filed status report by way of affidavit of Virender, Deputy Superintendent of Police, Crime Ambala, today in the Court which is taken on record and he, on



instructions from ASI Rajesh Kumar, affirms the fact that the petitioner is suffering from 3<sup>rd</sup> Stage Cancer and submits that the petitioner is undergoing chemotherapy for his treatment, which is now scheduled to be done on 26.06.2026.

6. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is suffering from 3<sup>rd</sup> Stage Cancer and the said disease is life threatening. Further the culpability, if any, would be determined at the time of trial and as such, no useful purpose will be served by further detention of the petitioner-accused. Moreover, keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

7. In view of the discussions made hereinabove, the present petition is allowed. Accordingly, without commenting upon the merits of the case, the petitioner namely Som Nath, is ordered to be released on interim regular bail during pendency of the trial for a period of 08 weeks, on his furnishing bail bonds/surety bonds to the satisfaction of concerned Illaqa Magistrate/Trial Court/Duty Magistrate.

8. It is made clear that the petitioner shall surrender before the concerned jail authorities on 25.08.2026 by 05:00 PM.

9. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The



learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

10. A copy of this order be supplied to learned State counsel for information and strict compliance.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**25.06.2026**  
*yakub*

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |