



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

119

CRM-M-34140-2026(O&M)

Date of decision: 17.06.2026

Abhishek Baisla @ Abhishek

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ram Kumar Saini, Advocate for the petitioner.

Ms. Chhavi Sharma, DAG, Haryana.

Ms. Chhavi Budhiraja, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

The present first petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of interim regular bail on medical grounds to the petitioner in case bearing FIR No.26 dated 28.05.2026 registered under Sections 75(2), 78, 79, 351(3) [Section 241 added later on] of the Bharatiya Nyaya Sanhita, 2023, Section 12 & 17 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 and Section 67-A of the Information Technology Act, 2000 at Police Station Women Central Faridabad, District Faridabad.

2. The present FIR was registered on the complaint lodged by the complainant Krishi Gupta, daughter of Ashish Gupta. As per the allegations contained in the complaint, the complainant stated that she had, on 22.10.2023, shared certain intimate and private photographs with one Naman Kakaran, who was known to her and with whom she shared a friendly relationship. It was alleged that the said photographs were subsequently circulated by Naman Kakaran to other persons, including one

Abhishek Baisla, without her consent. The complainant further alleged that thereafter Abhishek Baisla, accompanied by one Tanisha Bagga, confronted her near Hype Gym and showed her the aforesaid photographs. It was alleged that, on the strength of being in possession of such photographs, Abhishek Baisla began blackmailing her and pressurising her to engage in video calls and maintain a relationship with him. According to the complaint, such conduct commenced around 10.08.2023 and continued thereafter. It was further alleged that Abhishek Baisla persistently stalked and harassed the complainant and compelled her, through threats and intimidation, to participate in objectionable video calls. The complainant alleged that she was repeatedly threatened that, in the event of her refusal to comply with his demands, certain individuals would be sent to her residence and her private photographs would be disclosed to others. She also alleged that she was subjected to verbal abuse and sustained exploitation over an extended period. The complaint further records that on 27.05.2026, Abhishek Baisla transmitted a photograph of the complainant's residence to Naman Kakaran and threatened that if she failed to come out of her house or contact him, the matter would be disclosed to her family members. It was also alleged that repeated telephone calls were made to her brother, Aditya Chaudhary, during which threats were extended that several persons would visit their residence on the following day. The complainant further stated that, owing to the continuous harassment, intimidation, and pressure exerted upon her, she became mentally distressed and on 27.05.2026 attempted to take her own life. However, the attempt was noticed by her parents, whereafter the present complaint was lodged. The complainant further stated

that on 27.05.2026 she received calls from multiple mobile numbers, including those used by Naman Kakaran and Abhishek Baisla, as well as certain other unidentified numbers which formed part of the continuing acts of harassment and intimidation complained of in the FIR.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is suffering from serious cardiac ailments, including coronary artery disease, as a consequence whereof the ejection fraction of his heart has substantially reduced and is presently stated to be between 40% and 50%. It is further contended that the petitioner is also afflicted with chronic metabolic disorders and suffers from hypertension, recurrent episodes of breathlessness and other associated health complications requiring regular medical supervision and treatment. Learned counsel submits that, in view of the deteriorating medical condition of the petitioner, an application was moved before the trial Court seeking appropriate medical treatment during his custody. The said application was considered by the Trial Court, which, vide order dated 06.06.2026, directed the jail authorities to ensure that proper and adequate medical treatment was extended to the petitioner expeditiously and without any avoidable delay. He further contends that notwithstanding the same, requisite specialised medical care has not been extended. Accordingly, the petition filed by the petitioner for seeking grant of interim bail was referred to Additional Sessions Judge, Faridabad, however, the same was declined on 11.06.2026.

4. Learned counsel for the petitioner has been confronted with the following:

i. As to whether the petitioner had initiated any contempt

proceedings against the jail authorities for the alleged non-compliance of the order dated 06.06.2026 passed by the Trial Court directing that proper medical treatment be extended to the petitioner. He fairly concedes that no contempt proceedings or any other action had been initiated by the petitioner alleging violation of the aforesaid order.

- ii. Learned counsel was further called upon to point out any specific averment in the second/subsequent bail application bearing No. BA/6159 of 2026 asserting that the medical treatment directed by the Court had not been provided to the petitioner. In response, learned counsel referred only to paragraph 2 of the said application, wherein it had been averred that the correctional facility was not equipped with requisite medical infrastructure and critical life-support equipment, including a BIPAP machine.
- iii. Pursuant to the aforesaid response, counsel was confronted with the fact that the aforesaid averment is only to the extent that the said machines are not available with the jail authorities, however, the same does not, by itself, establish that appropriate medical treatment or medical assistance had been denied to the petitioner and that the absence of a particular medical device within the jail premises cannot automatically lead to the inference that adequate medical care was not being provided, particularly when specialized equipment and treatment can be made available through referral to appropriate medical institutions whenever the need so arises.
- iv. It is not disputed that there is no assertion either in the pleadings or

in the orders passed by the Courts below to suggest that the petitioner was denied access to necessary medical treatment despite a recommendation or requirement to that effect.

5. Learned counsel for the petitioner has also been confronted with the specific finding recorded in Para No.5 by the Additional Sessions Judge, Faridabad in its order dated 11.06.2026, which reads thus:

“5. The applicant took the plea that he is suffering from multiple critical and life threatening chronic ailments like coronary artery disease with dilated cardiomyopathy, diabetes mellitus, hypertension, difficulty in breathing, history of nausea with vomiting, bilateral pleural effusion with pulmonary insufficiency and braggart syndrome, which are being severely aggravated due to the conditions of incarceration and which requires immediate, continuous and specialized medical supervision and treatment, that cannot be adequately provided within the jail premises. But no document has been produced to show that applicant is having any medical urgency which requires immediate admission or operation in the hospital. The medical record placed on record only shows that the applicant is suffering from hyper tension, diabetes, breathing problem, coronary artery disease with heart functioning of 45 to 50% etc. The EF (Ejection Fraction) of healthy person is 52-75% and thus EF of 45-50% which is of applicant is mildly abnormal but it can be managed by the medicines and no immediate admission or operation is required for it. This can be managed conservatively by the doctors in jail or by referring the applicant to higher center for any specialist opinion. The record shows that he is being taken to higher medical centers time to time and necessary medicines are being given to him as advised by the doctors. His present medical condition is stable. Thus, no ground is made out to grant interim bail to the applicant on medical grounds.”

6. It is evident that the contention vehemently raised by the

petitioner that the ejection fraction of the petitioner is varying between 40 to 50% has been effectively dealt with by the Trial Court. While examining the said aspect, the Trial Court noticed that the ejection fraction of a healthy individual ordinarily ranges between 52% and 75%. It was further observed that the petitioner's ejection fraction, though marginally below the normal range, falls within the category of a mild cardiac abnormality and does not, by itself, indicate any immediate life-threatening condition warranting extraordinary indulgence. The mere fact that the petitioner's ejection fraction ranges between 40% and 50% cannot, therefore, be construed as constituting such a grave medical condition as would, in the absence of any other compelling circumstance, justify the relief sought by him. The medical condition projected by the petitioner has thus been appropriately assessed by the Trial Court and does not appear to have been ignored or inadequately considered.

7. So far as rest of the complaints pertaining to metabolic conditions, shortness of breath, breathing difficulty, nausea and allied symptoms are concerned, the medical material placed on record does not indicate the existence of any acute or life-threatening disease requiring extraordinary intervention. These complaints appear to be uneasiness or discomfort on the part of the petitioner rather than independent ailments of such severity as would warrant grant of the relief sought by the petitioner.

8. I find that the medical record is being mis-portrayed as a severe medical abnormality instead it is a mere mild aberration from the standard medical requirements. The record does not substantiate the assertion that the petitioner is suffering from any such exceptional medical condition which

cannot be adequately managed through the treatment and facilities already made available to him.

9. In the aforesaid circumstances, I am unable to persuade myself to accept the grounds cited by the petitioner as constituting compelling reasons warranting interference. The medical condition projected by the petitioner does not appear to be of such severity as to justify the relief claimed. Consequently, finding no merit in the present petition, the same is hereby dismissed.

10. Pending application(s), if any, shall stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

17.06.2026

Sumit Gusain

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