

(2020) 05 SHI CK 0045

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (M) No. 620 Of 2020

Roshan Lal

APPELLANT

Vs

State Of Himachal Pradesh

RESPONDENT

Date of Decision : 21-05-2020

Acts Referred:

Citation : (2020) 05 SHI CK 0045

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Vijender Katoch, Sudhir Bhatnagar, Kunal Thakur

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. Sequel to order dated 13.5.2020, respondent-State has placed on record status report prepared on the basis of investigation carried out by the investigating agency. Primarily, the petitioner has prayed for grant of bail on medical grounds. Record annexed with the bail petition itself suggests that the Jail authorities have repeatedly taken the bail petitioner to the hospital for medical examination, as such, it cannot be said that he is not being given proper medical treatment for his ailment. Otherwise also, the medical evidence adduced on record by the bail petitioner clearly reveals that he has a simple cyst in his kidney and there is no material worth credence available on record suggestive of the fact that the bail petitioner is suffering from any life-threatening disease.

2. Having carefully perused the medical record available before this Court, this Court has no reason to presume that, in the event of medical emergency, bail petitioner would not be provided treatment by the Jail authorities, as such, this Court is not inclined to consider the prayer of the bail petitioner for grant of bail on medical grounds at this stage.

3. Faced with aforesaid situation, learned counsel for the petitioner seeks

permission to withdraw the present petition with liberty to file afresh at an appropriate stage, if so required and desired. Ordered accordingly.

4. Needless to say, Jail authorities would provide proper medical treatment to the bail petitioner, who is suffering from bronchial asthma, apart from kidney cyst. Petition stands disposed of in the aforesaid terms.