



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

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CRM-M-18299-2026 (O&M)
Date of decision: 10.04.2026

Abhishek Dutt @ Honey

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. P. S. Ahluwalia, Senior Advocate with
Mr. Simerpreet Sekhon, Advocate and
Mr. Dev Kumar Ahlawat, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of interim bail for a period of six months on medical grounds to the petitioner in case arising out of FIR No. 37 dated 10.02.2024, registered under Section 302 of IPC at Police Station Kalka, District Panchkula.
2. It is argued by learned senior counsel for the petitioner that he has been arraigned as an accused in the aforementioned FIR and is lodged in Central Jail, Ambala. The father of the petitioner, namely Umesh Dutt, was diagnosed with metabolic ALD related to chronic liver disease (CLD) with severe D-compensation leading to life threatening complications. He was advised for liver transplant. After a detailed medical investigations, the petitioner had donated part of his liver to his father to save his life. However, after hepatectomy, the condition of the petitioner



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has been gradually deteriorating. He is presently on medication for hypertension, subcentimetric mesenteric and retroperitoneal lymph nodes/fibrosis disc dissection. He has even lost 15 kgs. of his body weight. As per medical science, retroperitoneal lymph nodes disc dissection is most often used to stage and treat testicular cancer that may spread to the retroperitoneal nodes. The petitioner is continuously being taken to PGIMER, Chandigarh for several medical investigations and treatment. However, still his medical condition is deteriorating. He needs specialized medical care as well as personal care, which is not possible in custody. No prejudice shall be caused to anyone, if the petitioner is released on interim bail for a limited period for the said purpose. Hence, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted concession of interim bail.

3. Medical status report of the petitioner has been filed. A perusal of the same reveals that the petitioner has not been maintaining sound health and has been frequently visiting jail hospital as well as PGIMER, Chandigarh for his treatment after donating liver to his father. He is stated to be on medication due to several medical conditions. He has undergone several tests as well and has lost around 15 kgs. of his body weight. It is also mentioned in the medical status report that he has undergone triphasic CECT abdomen during his admission at PGIMER, Chandigarh, which mentioned few subcentimetric mesenteric and retroperitoneal lymph nodes. However, learned State counsel has opposed the prayer of the petitioner on the grounds that he may influence the witnesses or absent from the Court proceedings, if released on interim bail.

4. This Court has heard the rival submissions.

5. It is not in dispute that the petitioner had undergone a major surgical



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procedure of hepatectomy for donating a part of his liver to his father, who was suffering from a life-threatening ailment. The medical record further reflects that post-surgery, the petitioner has been facing multiple health complications, is under continuous medication and has suffered considerable weight loss. He has been repeatedly referred to and treated at PGIMER, Chandigarh, which indicates that his condition requires constant and specialized medical supervision. Though the apprehension expressed by the learned State counsel regarding the possibility of the petitioner influencing witnesses or evading trial cannot be brushed aside lightly, however, in the peculiar facts and circumstances of the present case, particularly keeping in view the serious medical condition of the petitioner and the nature of treatment required by him, this Court is of the considered view that such apprehensions can be adequately addressed by imposing stringent conditions. The right to life under Article 21 of the Constitution of India encompasses the right to health and proper medical treatment. When a prisoner is suffering from serious medical conditions requiring specialized care, which may not be effectively provided in custody, the Court would be justified in granting interim bail for a limited period.

6. Accordingly, without commenting upon the merits of the case, the present petition is partly allowed. The petitioner is ordered to be released on interim bail for a period of five months from the date of his release, subject to his furnishing adequate personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The grant of interim bail shall, however, be subject to the following conditions:

- (i) The petitioner shall not directly or indirectly try to influence, threaten or induce any of the prosecution witnesses;



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- (ii) The petitioner shall not leave the country without prior permission of the Court;
- (iii) The petitioner shall surrender before the jail authorities immediately upon expiry of the interim bail period unless his interim bail is extended;
- (iv) The petitioner shall attend the hearing before the learned Court on each and every date, unless his presence is exempted by the learned trial Court.

7. It is made clear that in case of violation of any of the aforesaid conditions, the State shall be at liberty to move an appropriate application for cancellation of interim bail.

8. Disposed of accordingly.

10.04.2026

Waseem Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No