

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

**Criminal Misc.No.M-3251 of 2015
Date of Decision: February 18, 2015**

Lachman Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.B.S.Bhalla, Advocate,
for the petitioner.

Mr.Shilesh Gupta, Addl.AG, Punjab.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition is for grant of ad-interim bail on medical grounds to the petitioner, Lachhman Singh, who has been booked for having committed the offences punishable under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, (for brevity "NDPS Act") in a case arising out of FIR No.111, dated 21.07.2014, registered at Police Station, Kot Ise Khan, District Moga.

Learned counsel contends that though the petitioner has been booked for retaining commercial quantity of 150 kg of poppy husk yet he is suffering from serious heart ailment for the last about six months and his condition is deteriorating day-by-day. He was taken to the Guru Gobind Singh Medical

College and Hospital, Faridkot and on the advice of the doctors, he was referred to the Post Graduate Institute of Medical Education and Research at Chandigarh where the doctors had advised various tests. Due to various reasons those tests are not being conducted. The condition of the petitioner is precarious at this moment.

Learned counsel for the State, on instructions from SI Gurbax Singh, Police Station, Kot Ise Khan, District Moga, very fairly concedes that the health condition of the petitioner is not sound and as such, he is being taken to Guru Gobind Singh Medical College and Hospital, Faridkot and on the advice of the doctors he is further being taken to Post Graduate Institute of Medical Education and Research at Chandigarh. He further concedes that Thallium Test has been advised twice but the same could not be conducted. He also concedes that the petitioner is neither required nor involved in any other case arising out of the NDPS Act.

After hearing the learned counsel for the parties and going through the material available on record it is very much clear that the petitioner is not maintaining a sound health and as such, he is being taken to the various hospitals. There is no doubt that the petitioner has been booked for retaining commercial quantity of poppy husk but keeping in view the

health of the petitioner, he can be admitted to ad-interim bail for a one month. As such, the present petition is allowed. It is directed that the petitioner shall be released on ad-interim bail from 20.02.2015 to 20.03.2015 (both days inclusive) subject to his furnishing bond in the sum of Rs.1,00,000/- with two sureties in the like amount to the satisfaction of the learned trial court. The petitioner shall surrender before learned trial court/Duty Magistrate on 21.03.2015 at 10.00 am failing which the court below shall be competent to secure his presence by way of non bailable warrants and also initiate the appropriate proceedings against the sureties.

February 18, 2015
seema

(Naresh Kumar Sanghi)
Judge