

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-7071 of 2015

Date of Decision : 14.05.2015

Nirmal Singh @ Nimma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Ms. Anju Arora, Advocate
for the petitioner.

Mr. Gurveer Sidhu, AAG, Punjab.

R.P. Nagrath, J. (Oral)

Petitioner seeks interim bail under Section 439 Cr.P.C. for two weeks during the pendency of trial for treatment of his minor son in FIR No. 45 dated 25.06.2013 for offences under Sections 18 and 25 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Sadar, Malout, District Muktsar.

The charge against the petitioner is that he alongwith his father was found in possession of 25.5 kgs of opium on 24.06.2013.

Sh. Balraj Singh Sidhu, Superintendent of Police is present in deference to the order dated 27.04.2015 and filed affidavit of Sh. Kuldeep Singh Chahal, Senior Superintendent of Police, Sri Muktsar Sahib and the same is taken on record.

In the affidavit it is submitted that the fact has been verified that the son of petitioner requires surgery but it is further reported that he is being looked after by Amarjeet Singh, real

brother of the petitioner, who has adjoining house and as per opinion of the doctor surgery in such cases can be postponed.

Having heard learned counsel for the petitioner and the State counsel at considerable length, I am of the view that petitioner does not deserve to be granted interim bail especially because the prosecution evidence has already been closed on 05.02.2015 and after recording statement of the accused under Section 313 Cr.P.C. the trial is at the defence stage.

Dismissed.

The jail authorities are, however, directed to provide necessary assistance for executing special power of attorney etc. in case arrangements of funds are to be made for treatment of petitioner's son.

May 14, 2015

jk

**(R.P. NAGRATH)
JUDGE**