

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.30299 of 2016  
and  
Criminal Misc. No.M-30622 of 2016

.....

Date of decision:19.10.2016

Massa Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. N.S. Sodhi, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the  
respondent-State.

.....

**Inderjit Singh, J.**

Cr. Misc. No.30299 of 2016:

For the reasons mentioned in the criminal miscellaneous application, the hearing of the main petition is preponed for today.

The criminal miscellaneous application stands disposed of.

Cr. Misc. No.M-30622 of 2016:

The petitioner has filed this third petition under Section 439 Cr.P.C. for grant of interim bail for one month to arrange, manage and to look after his wife Baljinder Kaur at the time of surgery and thereafter for treatment thereof, during the pendency of trial in case FIR No.155 dated 18.9.2015 registered for the offence under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station Dharamkot, District Moga.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition. She has filed the short affidavit of Mr. Mandeep Singh, PPS, Deputy Superintendent of Police, Dharamkot, District Moga.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

The report dated 7.10.2016 (Annexure-R.1) of Dr. Ramesh Kumar Kansal attached with the short affidavit has also been filed in which the doctor has opined that the wife of the present petitioner is suffering from “Fibroid Uterus” and her operation is very essential. It is also stated that in the said operation, it is required that she will stay in hospital for a period of one week to ten days and after operation she has to take rest for 4 to 6 weeks. It is also stated that her ultrasound, scan and other necessary blood tests were got conducted.

Keeping in view the fact that the operation of the wife of the present petitioner is essential and the petitioner is to look after her during that period, therefore, finding merit in the present petition, the same is allowed. The petitioner is granted interim bail from 7.11.2016 to 17.11.2016 and he shall be released on interim bail subject to his furnishing bail bond in the sum of ₹1 Lac with two sureties in the like amount to the satisfaction of trial Court. The petitioner will surrender before the Jail authorities on 18.11.2016 at 10.00 a.m.

The Jail Superintendent is directed to send the report after the surrender of the accused in the Jail on 18.11.2016.

October 19, 2016.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |