

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

CRM-M-5082-2018

Date of decision:- 18.5.2018

Rikramjeet Singh @ Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr.C.L. Pawar, Sr.D.A.G., Punjab.

H.S. MADAAN, J. (Oral)

This petition has been filed for the grant of regular bail to the petitioner – Rikramjeet Singh @ Rinku, an accused in FIR No.43 dated 20.3.2017, under Section 18 of NDPS Act, registered at Police Station Sadar, District Patiala.

As per the case of the prosecution, the car in which the petitioner was one of the occupant had been intercepted and 3 kgs. of opium had been recovered therefrom. Presently the petitioner along with his co-accused is facing trial before Judge, Special Court, Patiala. The petitioner had moved an application for regular bail but the same was declined by learned Special Judge, Patiala vide order dated 22.9.2017, as such, he has approached this Court with the same request.

According to the petitioner, his father is seriously sick suffering from cancer of last stage and his days are numbered; that there is

no adult male member in the family to look after his father at the last stage of his life; that his younger brother has already expired, therefore, prayer is made for grant of interim bail for one month.

Notice of the petition was given to respondent – State, which has filed reply to the petition in the form of affidavit of DSP(Rural), Patiala contending therein that medical condition of father of petitioner has been got verified through Incharge, Police Post Bhunerheri, Police Station Sadar, Patiala; that inquiries from the Medical Superintendent, PGI MER, Chandigarh and Department of Radiotherapy PGI MER, Chandigarh have been made, which revealed that father of the petitioner Tikka Ram, aged 59 years is suffering from cancer of right thigh, which has spread to his lungs and liver; that he is getting chemotherapy, copy of case summary issued by Assistant Professor, Department of Radiotherapy, PGI MER, Chandigarh has been enclosed.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has submitted that he does not press the application for regular bail but his only request is to grant interim bail to the petitioner for a period of one month so that he can look after his father, who is terminally sick and whose days are numbered.

Learned State counsel submits that the trial is almost concluded with next date of hearing fixed as 18.5.2018.

Keeping in view the facts and circumstances, I am of the view that request for grant of interim bail to the petitioner for a period of one month deserves to be accepted.

Accordingly, the the petitioner is ordered to be released on interim bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Patiala. The trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond. The period of one month shall be counted from the date when the personal and surety bonds of petitioner are accepted. However, it is made clear that the petitioner would appear in the trial Court on each and every date of hearing and if the trial is concluded before expiry of period of one month of interim bail granted to him by this Court, then he would be taken into custody by the trial Court notwithstanding the order in hand, otherwise he would surrender in the trial Court on expiry of period of interim bail.

18.5.2018
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No