

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

CRM-M-30291-2020 (O&M)

Date of decision: 29.10.2020

Kanwalgeet Singh @ Kanwaljit Singh

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. S.S. Behl, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

H.S. MADAAN, J. (Oral)

CRM-26368-2020

This is an application for placing on record copy of orders passed by this Court as Annexures P7 to P9. Heard. Allowed subject to all just exceptions. Annexures P7 to P9 be taken on record.

Main Case

Case taken up through video conferencing.

This 4th petition under Section 439 Cr.P.C., read with Section 482 Cr.P.C. has been filed by petitioner Kanwalgeet Singh @ Kanwaljit Singh, aged about 23 years, an accused in FIR No.155 dated 29.06.2018, for offences under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered with Police Station Sadar, Ambala, praying for grant of interim bail for a period of 30 days due to severe depression and critical health of his

mother and on account of mental disability of the petitioner.

It is relevant to note here that the petitioner is facing trial in the Court of Addl. Sessions Judge, Ambala on the allegations that he was found in possession of 18 Omgesic Injections (Buprenor Phine Injection 2 ml). He had approached the Court of Sessions at Ambala for regular bail but was unsuccessful. He had knocked at the door of this Court craving for grant of similar relief. His such petition bearing No.CRM-M-44909-2019 was dismissed, vide order dated 06.03.2020. On earlier two occasions also, he had filed similar petitions before this Court but had then withdrawn the same. There has not been any visible change in circumstances since dismissal of the third petition filed by him by this Court, vide order dated 06.03.2020. In that order, it had been observed that if he is released on bail, there is every possibility of the petitioner absconding and trying to threaten and induce the prosecution witnesses and further, there is possibility of his taking to drug trafficking and path of crime again. A perusal of the record goes to show that the petitioner is trying to get out of the jail for one reason or the other. One of the reason now given is that he himself is suffering from a serious ailment including the mental disability. The adequate medical facilities are available in the jails at district headquarters and if need be, such jail inmate suffering from any serious disease can be taken to Government hospital located in that very city or a nearby place and if referred to higher medical institute, can be taken there also. Therefore, the petitioner is not entitled to any concession of bail for that reason. The other reason cited that his mother is critically sick; there is nothing on record to show that there is no other

family member or relative available to attend to mother of the petitioner or that release on bail of the petitioner is absolutely necessary to look after her. It seems that the petitioner is trying to put up a reasonable and plausible ground to seek bail, however, I am not convinced that interim bail is required to be granted to the petitioner for such like reason. The petition being without merit stands dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

29.10.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No