

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

203

CRM-M-6896-2021

Date of Decision : March 02, 2021

BALDEV SINGH @ BELLO

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Umesh Aggarwal, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of concession of regular bail to the petitioner in FIR No.72 dated 13.7.2019 registered under Section 21 of the NDPS Act, at Police Station Jhabbal, Tarn Taran or in the alternative for the grant of interim bail to the petitioner in view of the fact that he has to attend the marriage of his sister.

The learned counsel for the petitioner has submitted that the petitioner would not press the first prayer with regard to grant of regular bail but he will be satisfied in case his prayer for the grant of interim bail for a special purpose of attending the marriage of his sister is considered.

On 24.2.2021, this Court had directed the State of Punjab to ascertain the factual position with regard to the marriage of the sister of the petitioner and to file an affidavit before this Court.

The learned State counsel has filed the affidavit of Deputy Superintendent of Police, Sub Division Tarn Taran, District Tarn Taran on behalf of the State of Punjab. It has been submitted by the learned

State counsel by referring to the affidavit filed by the State that there was a recovery of 260 grams of Heroin which was recovered from the conscious possession of the petitioner and, therefore, the petitioner cannot be granted the concession of bail. He further submitted that the petitioner is also involved in 4 more cases pertaining to NDPS Act and there is a likelihood that the petitioner may flee from justice and, therefore, he has opposed the grant of bail to the petitioner. However, the learned State counsel has very candidly submitted that he has no objection in case the petitioner can be released on interim bail for one day under the custody of the police so that he may not flee from justice.

Since the marriage of the sister of the petitioner is fixed for 21.3.2021 and as per the learned counsel for the petitioner, the time of the marriage is 10.00 a.m., this Court deems it fit and proper to grant the benefit of interim bail to the petitioner for a period of one day i.e. 21.3.2021 in order to enable him to attend the marriage of his sister under the custody of the police.

Consequently, the present petition is disposed of with a direction that the petitioner shall be admitted to interim bail for one day i.e. 21.3.2021 from 8.00 a.m. to 8.00 p.m. under proper custody of the police. The petitioner shall be brought back by the police party to the jail at 8.00 p.m. on 21.3.2021.

March 02, 2021
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(JASGURPREET SINGH PURI)
JUDGE

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