

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 28870 of 2022

Date of Decision: 07.7.2022

Gaurav @ Gorav

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Vineet Kumar Jakhar, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition, cast under Section 439 read with Section 482 Cr.P.C., the petitioner craves indulgence of his becoming admitted to interim regular bail, in respect of FIR bearing No. 296 of 12.12.2021, registered at Police Station Lehra, District Sangrur, constituting therein offence(s) under Section 22 of the NDPS Act.

2. However, the afore made indulgence cannot be granted to the petitioner, as the weight of the seizure, as became recovered from his purported conscious, and, exclusive possession, at the crime site, by the investigating officer concerned, rather falls within the ambit of commercial quantity thereof.

3. Even though, the above made prayer in the petition, is declined to the petitioner, but since the petitioner has made an alternative prayer, for his being permitted to appear in examination(s) appertaining to Diploma Courses 2nd year of Pharmacy, and, which are scheduled to take place from

09.7.2022 to 21.7.2022. Therefore, for facilitating the taking of the above

examinations, by the petitioner, which are to be conducted at B.D.M. College of Pharmacy, village Chhuchhakwas, District Jhajjar (Haryana), the Senior Superintendent of Police, Bathinda, shall deploy two armed escorts along with the petitioner. Since the distance inter se the jail concerned, and, the examination centre, can be covered during the course(s) of the day(s) concerned, therefore, on the relevant scheduled dates, the Superintendent of Jail concerned, shall ensure that the present petitioner is carried from the prison at a time, that he becomes enabled to make his participation on the scheduled date(s), in the exams, at the examination centre concerned. The Superintendent of Jail concerned, is also directed to ensure that strictly within the ambit of the scheduled dates, mentioned in Annexure P-3, he shall cause the temporary exit, of the petitioner, from the prison concerned, and, shall at the gate of the prison, hand over his temporary custody to the armed escorts, to be deployed for the relevant purpose, by the Senior Superintendent of Police, Bathinda.

2. It is clarified that the petitioner after taking examination(s), on each of the scheduled dates, shall be ensured by the armed escorts to become retrieved to the prison concerned.

3. The petition stands disposed of.

4. Copy of this order be given to the learned counsel for the petitioner, under the signatures of the Reader of this Court.

(SURESHWAR THAKUR)
JUDGE

July 07, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No