

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 39772 of 2022(O&M)
Date of decision : September 14, 2022

Jawari Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Sumit Jain, Addl.A.G.Haryana.

PANKAJ JAIN, J. (ORAL)

By way of present petition filed under Section 439 Cr.P.C.
petitioner prays for grant of interim bail on the ground that his wife, namely,
Hira Devi is suffering from cancer which is in advance stage. Petitioner is
under trial in FIR No.417 dated 13.05.2022 registered under Sections 15,
16, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985
at Police Station Azad Nagar, District Hisar.

Status report by way of an affidavit of Ashok Kumar, HPS,
Deputy Superintendent of Police, Hqrs., Hisar on behalf of State of Haryana
has been filed today in Court. The same is taken on record.

Status report also corroborates the medical condition of Hira
Devi as mentioned in the petition. It is not in dispute that she is under
treatment of All India Institute of Medical Sciences at Jodhpur, Rajasthan.

Learned counsel for the petitioner submits that keeping in view

the medical state of his wife he needs to be by her bed side at this stage. He thus, prays that he be granted interim bail for one month.

Learned State counsel submits that the petitioner is a resident of Jodhpur and this may make it difficult to secure presence of the petitioner after the expiry of his interim bail period. However, he submits that the petitioner can be taken in custody to Jodhpur where he can meet his wife.

I have heard learned counsel for the parties and have gone through the records of the case.

Medical state of wife of the petitioner, namely Hira Devi is not disputed. Learned counsel for the petitioner undertakes to give heavy surety and to abide by any condition which this Court may impose to facilitate the presence of the petitioner by bed side of his wife namely, Hira Devi.

Consequently, prayer of the petitioner is allowed. He is directed to be released on interim bail subject to the satisfaction of the trial court. In addition to the conditions that the trial court may impose while granting interim bail to the petitioner, he is directed to share his contact number with the Jail authorities and he is further directed to report to the local police station at Jodhpur in which his village/residence falls everyday before 10.00 a.m. The petitioner shall surrender back on 29.09.2022.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

September 14, 2022
Shivani Kaushik

Whether speaking/reasoned	Yes
Whether Reportable :	No