

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

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**CRM-M-53806-2022 (O&M)
Date of decision: 30.11.2022**

KISHAN SINGH @ DAULAT

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this 3rd petition, the petitioner seeks 10 days interim bail in case bearing FIR No. 313 dated 17.11.2020 registered under Sections 21(c), 29 of the NDPS Act and Sections 7(2), 13 of the Prevention of Corruption Act, 1988 and Section 25 of the Arms Act, at Police Station Shahkot, District Jalandhar (Rural), on account of death of his father.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner has been in custody for the last more than 02 years and that unfortunately, Gurdev Singh- father of the petitioner expired on 06.11.2022.

Short reply by way of affidavit dated 29.11.2022 of the Deputy Superintendent of Police, Sub-Division Shahkot, District Jalandhar (Rural) along with its Annexures submitted by the learned State counsel in the Court, is taken on record.

Learned State counsel points out that as per the reply, on 25.11.2022, ASI Harbans Singh, Police Post Malsiyan falling within the

jurisdiction of Police Station Shahkot, visited the house of the petitioner i.e. village 14-S, Shri Karnpur, Rajasthan, and recorded the statements of Shindo Bai-mother of the petitioner and Roshni Devi-Sarpanch of the village, and as per the statements Gurdev Singh-father of the petitioner passed away on 06.11.2022, though the cremation has been done but the remains are yet to be disposed of.

Learned State counsel also points out that the petitioner is an international smuggler and 11kg of Heroin and Rs. 11,25,000/- drug money, have been recovered in the present case and the village of the petitioner is situated at the border of Pakistan and as per the statement of his mother, the petitioner is also having two other brothers and one sister. The petition is also involved in two other cases.

I have heard the learned counsel for the parties and have also gone through the documents on record.

Admittedly, the father of the petitioner passed away on 06.11.2022, last rites have been performed and other rituals are yet to be performed, but the fact remains that the petitioner is having two other brothers in the family and recovery of 11 kg of Heroin and drug money of Rs. 11,25,000/-, has been effected in the present case and he is involved in other cases also.

In view of the above, finding no merit in the case, the same is dismissed.

(HARNARESH SINGH GILL)
JUDGE

30.11.2022

Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No