

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

CRM-M No.4643 of 2023

Date of decision: 1st February, 2023

Balvir Kumar @ Rinku

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

This is second petition of the petitioner filed under Section 439 Cr.P.C. in case bearing FIR No.47 dated 20.05.2014 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Phagwara, District Kapurthala with a further prayer for concession of interim bail for 15 days on account of death of his minor son.

Learned counsel for the petitioner submits that at this stage he would restrict his prayer to concession of interim bail to the petitioner for a period of two weeks to perform the last rites of his deceased son, who expired on 19.01.2023. He submits that there is nobody in the family of the petitioner as his wife expired almost 3-4 years back and even the cremation of his son was performed by co-

villagers and distant relatives. He also submits that the petitioner is not involved in any other criminal case, much less under the NDPS Act.

Vide order dated 30.01.2023, learned State counsel was directed to verify the authenticity of submissions made by the counsel opposite. Learned State counsel, on instructions from SI Kamaljeet Singh, has submitted that son of the petitioner has indeed expired on 19.01.2023 and there is no one in his immediate family to perform the last rites and other rituals of his deceased son. Learned State counsel has further apprised the Court that petitioner is not involved in any other criminal case.

In the facts & circumstances, the petitioner is ordered to be released on interim bail for a period of ten days with effect from 03.02.2023 on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kapurthala. The petitioner shall surrender back before the Superintendent, Central Jail, Kapurthala on 14.02.2023 at 10.00 a.m.

The petition stands disposed of accordingly.

(MANJARI NEHRU KAUL)
JUDGE

February 1, 2023

rps

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