

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-9648-2023

Date of Decision:-23.02.2023

Lakhbir Singh @ Kala.

.....Petitioner.

Versus

The State of Punjab.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Lakhwinder Singh Lakhanpal, Advocate for the Petitioner.

Mr. Shubham Kaushik, Assistant Advocate General, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of interim bail in case FIR No.57 dated 15.7.2021 under Sections 21(c) of NDPS Act, 1985 (Section 21(c)/29/61/85 of NDPS Act as mentioned in impugned order dated 21.09.2022) registered at Police Station Harike, District Tarn Taran on the ground that the wife of the petitioner is in the family way and is expecting to give birth to a child on 25.03.2023.

2. The counsel for the petitioner contends that the wife of the petitioner is in the family way and is likely to give birth to a child on 25.03.2023 and, therefore, he be granted the concession of interim bail.

3. The Counsel for the State on the other hand contends that the regular bail application of the petitioner was dismissed by this Court. Even otherwise, he has criminal antecedents and, therefore, he should not be

permitted interim bail.

4. I have heard the learned counsel for the parties.
5. As per the case of the petitioner, his wife is in the family way and is expected to give birth to a child on 25.03.2023. However, looking at the fact that an earlier bail application stands declined as also his criminal antecedents, I find no ground to release the petitioner on interim bail.
6. However, keeping in view the fact that the wife of the petitioner is expecting, the Jail Superintendent concerned is directed to send the petitioner in custody from 8.00 am to 8.00 pm on 24.3.2023, 25.03.2023 and 26.03.2023 to his place of residence and/or the hospital where the wife of the petitioner is likely to give birth, at the expenditure to be incurred by the petitioner.
7. The petition stands disposed of in the aforementioned terms.

(JASJIT SINGH BEDI)
JUDGE

February 23, 2023
Vinay

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