

CRM-M-17061-2023

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Neutral Citation No:2023:PHHC:051232

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17061-2023

Date of Decision: April 13, 2023

Bhagwan Singh @ Bhaga

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Gursimran Singh Bawa, Advocate
for the petitioner.

Mr.Sandeep Kumar, DAG, Punjab.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 439 Cr.P.C. read with Section 482 Cr.P.C. praying for grant of ad-interim bail to the petitioner in case FIR No.259, dated 25.10.2022, under Sections 21/23 of the NDPS Act, Sections 10,11,12 of Aircraft Act and Sections 25, 27-A and 29 of the NDPS Act added subsequently, registered at Police Station Chheharta, District Police Commissionerate, Amritsar, on the ground that he wants to meet his daughter Shehnazpreet Kaur, who is going to Canada on 17.04.2023 for further education.

Learned counsel for the petitioner submits that petitioner has not been named in the FIR but nominated in the case on the basis of disclosure statement of co-accused from whom 25 grams of heroin was recovered. He submits that to give his love and affection to his daughter, he wants to be with her as she is leaving for Canada on 17.04.2023 to pursue her studies.

State counsel was directed to verify the contentions raised by counsel for the petitioner.

Status report filed by learned State counsel by way of an affidavit of Gurinder Pal Singh, PPS, Assistant Commissioner of Police (Detective), Amritsar City, on behalf of respondent/State of Punjab, is taken on record. Learned State counsel has affirmed the submissions made by counsel for the petitioner and has submitted that on verification it is found that daughter of the petitioner, namely, Shehnazpreet Kaur is leaving for Canada on 17.04.2023 for further education.

After hearing counsel for the parties and going through the status report, the Court finds that petitioner being father of Shehnazpreet Kaur deserves to be granted interim bail for the purpose stated above.

Accordingly, the present petition is allowed. Petitioner is ordered to be released on interim bail from 15.04.2023 to 18.04.2023 on his furnishing bail/surety bonds subject to the satisfaction of trial Court/Duty Magistrate concerned. He is directed to surrender on 19.04.2023 positively at 11.00 a.m. before the Jail authorities. Releasing Officer is directed to apprise the petitioner about the date & time of his surrender back to the jail.

April 13, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |