

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

CRM-M-25831-2023

Date of Decision:-19.05.2023

Ashwani Kumar.

.....Petitioner.

Vs.

The State of Punjab.

.....Respondent.

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

Present:- Mr. Gaurav Dutta, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC read with Section 482 Cr.PC is for the grant of interim bail to the petitioner in case FIR No.107 dated 27.04.2022 under Sections 15 of the NDPS Act registered at Police Station Amargarh, District Malerkotla for one week as the mother of the petitioner, namely, Smt. Resham Kaur has passed away on 13.05.2023 and her Bhog ceremony is stated to have been fixed on 24.05.2023.

2. The Counsel for the petitioner contends that the petitioner be granted the concession of interim regular bail for a period of one week as the mother of the petitioner has passed away and her Bhog Ceremony is fixed for 24.05.2023.

3. The Counsel for the State on the other hand does not dispute the fact that the mother of the petitioner has indeed passed away on 13.05.2023 and her Bhog ceremony is fixed for 24.05.2023. He further states that keeping in view the nature of allegations levelled against the petitioner he

ought not be granted the concession of interim bail as he was likely to abscond. Even otherwise, his prayer for regular bail had been declined by this Court vide order Annexure P-2.

4. I have heard the learned counsel for the parties.
5. Keeping in view the conflicting stands taken by both the sides, it would be just and appropriate to permit the petitioner to go in custody on 23.05.2023, 24.05.2023 and 25.05.2023 to his home/gurudwara/any other place so as to spend time with his family members and attend the Bhog ceremony of his mother in police custody. He shall be taken from the Jail concerned from 8.00 am to 8.00 pm on the aforesaid dates and brought back to the jail premises by 8.00 pm. The expenses for the aforesaid purpose shall be borne by the petitioner.
6. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 19, 2023
Vinay

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