

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-30825-2023 (O&M)

Date of Decision:19.07.2023

Sultan Ali @ Rishab

.....Petitioner

Versus

State of Punjabs

.....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present:- Mr. J.P. Devgan, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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**HARSIMRAN SINGH SETHI J.(Oral)**

1. The present petition has been filed under Section 439 Cr.P.C. for the grant of interim regular bail to the petitioner in FIR No.16 dated 30.04.2023, registered under Section 15/61/85 of Narcotics Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Kurali, District SAS Nagar, Punjab.

2. Learned counsel for the petitioner argues that the wife of the petitioner who is in family way is to undergo cesarean operation for the delivery of the child and as per the report of the doctor the said operation is to be conducted on 22.07.2023.

3. Learned State counsel on instructions from ASI Avtar Singh submits that factual aspect has been verified from the hospital where the wife of the petitioner is under treatment and concedes the factum that the cesarean operation is to be undertaken for the delivery of the child on 22.07.2023. Learned State

counsel also submits that there is no other male member present in the house to take care of the wife under these circumstances.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Keeping in view the facts and circumstances noted hereinbefore which are not in dispute especially when there is no one to look after the wife of the petitioner who is in family way and has to undergo cesarean operation of the delivery of the child and thereafter to look after mother and baby, the request of the petitioner for the grant of interim bail is accepted especially when learned counsel for the petitioner has undertaken that not only the said interim bail will not be misused but after the expiry of the interim bail granted, the petitioner will surrender before the authorities concerned.

6. Keeping in view the facts and circumstances of the present case, the petitioner is directed to be released on interim bail starting from 20.07.2023 to 19.09.2023 subject to his furnishing bail/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate concerned. The petitioner is directed to surrender back before the jail authorities concerned on 20.09.2023 at 5.00 P.M.

7. It is made clear that before releasing the petitioner the Illaqa Magistrate/Duty Magistrate will ensure that the petitioner is released on due satisfaction of the said authorities.

(HARSIMRAN SINGH SETHI)  
JUDGE

19.07.2023  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No