

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

109+283

CRM-M-33542-2023 (O&M)
Date of decision: 18.07.2023

GURNAM SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Ms. Riffi Bala Birla, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN. J.(Oral)

CRM-29122-2023

The present application has been filed under Section 482 Cr.P.C for amendment of head note and prayer clause of the petition to the extent of addition of offence under Sections 25 of NDPS Act, 1985,

For the reasons mentioned in the application, same is allowed. Section 25 of NDPS, Act 1985, is hereby added in the head note as well as in the prayer clause of the main petition.

CRM-M-33542-2023

Present petition has been filed under Section 439 Cr.P.C read with Section 482 Cr.P.C for grant of interim regular bail in FIR no.154 dated 22.09.2022 registered under Sections 21, 25 and 29 of NDPS Act at Police Station City Jalalabad, District Fazilka (Annexure P-1) on the ground that brother-in-law of the petitioner unfortunately died on 07.07.2023 and last rites and rituals are

scheduled to be held from 17.07.2023 to 19.07.2023.

Notice was issued on 14.07.2023.

Today report from SHO has been received, which reads as under:-

“It is submitted that above noted writ number was fixed for hearing before Hon'ble Punjab and Haryana High Court, Chandigarh. During the course of hearing, counsel for petitioner Gurnam Singh submitted before Hon'ble Judge regarding death of brother-in-law of petitioner regarding which petitioner has to attend the Antim Ardas of his brother-in-law. Thereupon, Hon'ble Judge Sahab orally passed an order that it be clarified regarding death of brother-in-law of petitioner whether his brother-in-law has really expired. Inquiry in this regard was carried out by ASI Jarnail Chand 61/Fazilka who inquired about the death after visiting village of deceased i.e. Chak Khiwa (Dhani Bachan Singh) PS Sadar Jalalbad District Fazilka. ASI Jarnail Chand after visiting village Chak Khiwa (Dhani Bachan Singh) joined Nambardar of village namely Sher singh son of Gurdial Singh and Gurmej Singh son of Khushia Singh resident of dhani Resham Singh dakhli Paliwala PS Vairo Ke District Fazilka in Investigation and recorded his statement and other panchayatname of other esteemed persons was also written. From which, it was found that Budh Parkash son of Jugraj singh son of Tikkan singh resident of Chak Khiwa PS Sadar Jllaabad (Dhani Bachan Singh) real brother-in-law of Gurnam Singh son of Mangal Singh son of Karan singh resident of Jhugge Kishore Singh Wale (Bhange Wala) PS Mandot District Ferozepur, had naturally and suddenly died on 07.07.2023 and he was cremated on the same day i.e. on 07.07.2023 at village Shamshan Ghaat and Antim Ardas (Bhog) of deceased Budh Parkash aforesaid is to be held on 22.07.2023 at is own house. Antim Ardas (Bhog) of his brother-in-law (brother of wife) Budh Parkash is to be held on 22.07.2023 at village Chak Khiwa Police Station Sadar, Jalalabad. Report is submitted before your good

self for appropriate order.”

The factum of death stands verified by the State authorities.

Keeping in view the aforesaid fact, the petition is disposed of. Petitioner is allowed to participate in the ceremonies pertaining to last rites of his deceased brother-in-law. He will be brought to Village Chak Khewa, Tehsil Jalalabad, District Fazilka on 19.07.2023 and will be brought back on the same day in the evening.

(PANKAJ JAIN)
JUDGE

July 18, 2023
Amandeep

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