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

**CRM-M-51554-2023 (O&M)
Date of Decision: 17.10.2023**

Kulwinder Singh alias Billa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sukhbir Maandi, Advocate for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a second petition filed under Section 439 read with Section 482 of the Code of Criminal Procedure for grant of interim regular bail to the petitioner in FIR No.155, dated 23.09.2022, under Sections 22, 61, 85 of the NDPS Act, registered at Police Station Jabhal, District Tarn Taran for a period of 2 months in view of the reason that the son of the petitioner, who is of the age of 8 years, suffered severe injury on his left hand by way of fire crackers on 24.09.2023.

2. Learned counsel for the petitioner has submitted that although the earlier bail petition of the petitioner was dismissed by this Court on 02.08.2023 had earlier filed a bail petition before this Court on 02.08.2023 but it was thereafter, on 24.09.2023, the minor son of the petitioner, who is of the age of 8 years, suffered fire crackers injury. He referred to Annexure P-4 which is a certificate of the hospital in which it has been so stated that the son of the petitioner has underwent amputation of the left hand middle finger on 27.09.2023 with groin flap surgery for soft tissue reconstruction and patient is

planned for 1st delay surgery on 16.10.2023 which will be performed under local anesthesia. He further submitted that thereafter, now second and third surgery are also to be conducted and there is no male member in the family to support him and there is only mother and wife of the petitioner in the family and even necessary funds are also to be arranged for the purpose of aforesaid surgery. He submitted that 2 months' interim bail may be granted to the petitioner so that he can take care of the aforesaid position pertaining to the arrangement of the funds and also pertaining to care of his son, who unfortunately suffered fire crackers injury.

3. This Court had issued notice in the present case on 11.10.2023 and had also asked the State to ascertain the averments made in the petition pertaining to the medical condition of the son of the petitioner and also as to whether there are other family members available to attend the son of the petitioner.

4. Today, Mr. G.S. Sidhu, learned AAG, Punjab has stated on instructions that it has been verified that the son of the petitioner had suffered fire crackers injury and he is having medical problem in his left hand and surgeries are being performed. He further submitted that it has also been verified that there are only two ladies in the family to take care of the minor son of the petitioner.

5. I have heard the learned counsel for the parties.

6. The prayer in the present petition is for grant of interim bail to the petitioner for a period of 2 months. Considering the certificate attached by the petitioner vide Annexure P-4 and the statement made by the learned State counsel on the basis of the instructions from the officer, this Court is of the

view that the petitioner deserves the concession of interim bail for a period of 2 months. Consequently, the present petition is allowed. The petitioner shall be released on interim regular bail for a period of 2 months after furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate/appropriate Court, concerned.

7. The time of release and the date of surrender shall be fixed by the concerned Court of trial Court/CJM/Duty Magistrate/appropriate Court.

17.10.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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