

CRM-M-61959-2023 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(121)

CRM-M-61959-2023
Date of decision:- 21.12.2023

Jagtar Singh @ Kaku ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

SUVIR SEHGAL, J. (ORAL)

1. By way of present application filed under Section 439, Cr.P.C., petitioner has sought grant of interim bail for a period of two months as his wife is to be operated, in:-

FIR No.	Dated	Police Station	Sections
65	07.08.2023	Sarai Amanat Khan, District Tarn Taran	21-C of the NDPS Act

2. By making a reference to the reports, Annexures P-2 and P-3, counsel for the petitioner submits that petitioner’s wife is ailing and has to be operated for Hysterectomy.

3. On asking of the Court, State has verified the medical certificates and has submitted affidavit dated 21.12.2023 of Deputy Superintendent of Police, Sub Division, Tarn Taran, District Tarn Taran, which is taken on record, wherein on the basis of statement of Senior Medical Officer, Diljaan Hospital, Ram Tirath Road, Amritsar, it has been submitted that assertion

of the petitioner is correct. It has been further submitted that the petitioner lives in a joint family with brothers and sisters-in-law (Bhabis), who can take care of his wife. An apprehension has been expressed in the affidavit that in case the petitioner is released, he is likely to abscond and involve in the trade of narcotics as in the present FIR, he has been apprehended with 500 grams heroin.

4. I have heard counsel for the parties and considered their respective submissions.

5. Undisputedly, petitioner’s wife is ailing and has to undergo a surgery. On a specific query, counsel for the petitioner is not in position to give the date on which the surgery is scheduled. Keeping in view the fact that it is the moral responsibility of the husband to be at his wife’s side when she is to be operated, it is directed that petitioner be taken, in police custody as per rules, to the hospital on the day where his wife’s surgery is to be conducted and be brought back to the jail premises on the same day after the surgery is over. The date of surgery shall be informed by the petitioner/his family to the jail authorities in writing.

6. Superintendent of the Jail concerned shall make necessary arrangements.

7. Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

21.12.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No