

2023:PHHC:164486
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64354-2023
Date of Decision:21.12.2023

Malkit Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. S.S Gill, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C with a prayer to grant interim bail to him for a period of four weeks in case arising out of FIR No.75 dated 20.07.2023, registered under Section 22 and 29 of NDPS Act, Police Station Julkan, District Patiala.

2. Learned counsel for the petitioner contends that Balbir Kaur wife of Nirmal Singh, mother of the petitioner, had met with an accident and she died on 13.12.2023. Learned counsel has placed reliance on death summary of the mother of the petitioner, which is annexed as (Annexure P-2) with the petition. Learned counsel further contends that "*Bhog and Antim Ardas*" of the mother of the petitioner has been scheduled on 23.12.2023 at Village Massingan, District Patiala between 12:00 Noon to 01:00 PM. He further contends that the petitioner is only son of his parents and his father is suffering from paralysis and he has to perform all the last rites of his mother.

3. On advance notice, Mr. M.S. Bajwa, DAG, Punjab, appeared on

behalf of respondent-State and on instructions from ASI Sukhdev Singh submits that Mrs. Balbir Kaur, mother of the petitioner had died on 13.12.2023 and “*Bhog and Antim Ardas*” is scheduled to be held on 23.12.2023.

4. I have heard the learned counsel for the parties and perused the record.

5. In view of the submissions made by learned counsel for the parties, the petitioner is ordered to be released on interim bail for a period of one week subject to his furnishing necessary surety bonds/bail bonds to the satisfaction of the concerned Trial Court/Duty Magistrate/CJM. The concerned Court may insist on two heavy local sureties in the present case.

6. The petitioner shall be released from the Central Jail, Patiala at 10:00 AM on 22.12.2023. He is directed to surrender at 05: 00 PM on 28.12.2023 at the jail gate.

7. Petition stands disposed off.

(N.S.SHEKHAWAT)
JUDGE

21.12.2023
hitesh

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