

115

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-5231-2024 in/and
CRM-M-5773-2024 (O&M)
Date of decision: 05.02.2024

Diyalwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Riffi Birla, Advocate for the applicant-petitioner.

KARAMJIT SINGH, J. (ORAL)

CRM-5231-2024

1. The application is allowed to the extent of addition of offences under Sections 27, 27-B of NDPS Act and Section 25/54/59 of Arms Act.

CRM-M-5773-2024

1. The present petition has been filed by the petitioner seeking grant of interim bail to perform Antim Ardas and Bhog Ceremony of his father who died on 25.01.2024 due to heart attack. The counsel for the petitioner submits that presently, the petitioner is lodged in District Jail, Faridkot in criminal case having FIR No.58 dated 12.04.2023 registered under Section 21-C, 23, 29 of NDPS Act, at Police Station Sadar Fazilka (offences under Sections 27, 27-B NDPS and under Section 25 of Arms Act added later on).

2. The counsel for the petitioner made prayer that petitioner be granted interim bail for a period of atleast 2 days to attend the aforesaid ceremony which is to be performed on 06.02.2024 and there is no other male member in the family of the petitioner who could perform the aforesaid rituals.

3. Notice of motion.

4. Mr. J.S. Guru, AAG, Punjab accepts notice on behalf of the State and received instructions on telephone regarding death of father of the petitioner and the date fixed to perform Bhog and Antim Ardas of the deceased which is scheduled for 06.02.2024. However, the State counsel apprised the Court that the petitioner is involved in the present case relating to recovery of more than 24 kg of heroin and is also involved in one another case of recovery of heroin. So, prayer is made that the petitioner be not granted interim bail as prayed for.

5. I have considered the submissions made by counsel for the parties.

6. In view of the fact that huge quantity of heroin was recovered from petitioner and other accused persons, no ground is made out to grant interim bail to the petitioner to attend bhog ceremony of his father which is going to be held in the area of district Tarn Taran on 06.02.2024.

7. However, the petitioner is directed to be taken to his village in area of District Tarn Taran by the Jail Authorities concerned at about 08:00 AM on 06.02.2024 under police escort, so that the petitioner is able to attend bhog and antim ardas of his father and on completion of the said ceremonies, the petitioner is to be taken back to the jail concerned at about

03:00 PM. The expenses of the said visit are to be borne by the petitioner or his family members. The copy of this order be sent immediately to the jail authorities concerned through the State counsel, for strict compliance.

8. The present petition stands disposed in aforesaid terms.

05.02.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-

Whether reportable:-

Yes/No

Yes/No