

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-29571-2023
Date of decision:-10.01.2024

Dalip Singh @ Deepa

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms.Bhupinder Kaur Bhangu, Advocate
for the petitioner.

Mr.Ajit Singh Natt, AAG, Punjab.

SUVIR SEHGAL, J. (ORAL)

1. This is the fourth petition filed under Section 439 Cr.P.C. seeking grant of post-arrest bail in:-

FIR No.	Dated	Police Station	Sections
159	10.10.2019	Subhanpur, District Kapurthala	22 and 29 of NDPS Act

2. Case of the prosecution is that FIR Annexure P1 has been registered when during routine patrolling, a car, which was moving in suspicious circumstances was intercepted. On inquiry, the driver disclosed his name as Dalip Singh @ Deepa, present petitioner, and the other occupant of the car was Sukhpal Singh. A recovery of 14 intoxicating injections of Buprenorphine and 82 grams of Diphenoxylate Hydrochloride was made

from the vehicle.

3. Custody certificate dated 09.01.2024 as well as the status report by way of affidavit of Deputy Superintendent of Police, Sub Division, Bholath, Kapurthala have been filed on behalf of respondent – State, which are taken on record. By referring to the status report, State counsel submits that ten out thirteen prosecution witnesses have been examined and the trial is proceeding at a satisfactory pace. He has opposed the prayer made in the petition by highlighting the criminal past of the petitioner. He further submits that petitioner's wife has been medically examined and the report has been appended as Annexure R1 with the status report.

4. When confronted with the advance stage of the trial, counsel for the petitioner does not press the prayer for grant of regular bail. She however, submits that as the wife of the petitioner is ailing, a direction may be passed so that he can meet her at regular intervals.

5. Request of the petitioner has been considered.

6. Report submitted by Medical Officer, Annexure R1, regarding the medical condition of petitioner's wife is as under:

“This is for submission of the Honourable Court for letter no.649/5P dated 16/8/23 by SHO Subhanpur Distt. Kapurthala regarding High Court matter CRM-M-29571 S/V Dalip Singh @ Deepa.

It is to certify Rajni Kumari 28 yrs. old is on ART since 10/5/2022 with ART Registration No.698/22.

Sd/ - and Seal Medical Officer ART Centre Civil

Hospital Kapurthala dt. 16/8/23”

7. It is evident from the above report that petitioner’s wife is undergoing treatment for human immunodeficiency virus (HIV).
8. Keeping in view her medical condition, petition is disposed of with a direction to the respondents to take the petitioner to meet his wife wherever she is staying/admitted in the first week of every calendar month in police custody as per rules. Necessary arrangements in this connection be made by the Superintendent, Central Jail, Kapurthala.

(SUVIR SEHGAL)
JUDGE

10.01.2024
Brij

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