



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-38499-2024
Date of decision: 21.08.2024

MANINDER SINGH ALIAS PANNA
Versus

....Petitioner

STATE OF PUNJAB

...Respondent

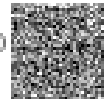
CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. This is the second petition under Section 439 of the Cr.P.C., thereby seeking grant of interim regular bail to the petitioner, on medical grounds, in case FIR No.44 dated 22.10.2023, under Section(s) 21/25/29 of the NDPS Act, 1985, registered at Police Station SSOC, Amritsar.
2. Reply by way of affidavit dated 19.08.2024, of Sh. Harwinderpal Singh, PPS, Deputy Superintendent of Police, State Special Operations Cell, Amritsar has been filed on behalf of respondent-State. The same is taken on record. Copy of the same has been supplied to the opposite counsel.
3. The learned State counsel has placed on record the custody certificate *qua* the petitioner, issued by the Superintendent of Central Jail, District Amritsar. The same is taken on record.
4. The earlier bail petition of the petitioner got dismissed as withdrawn on 09.07.2024, on account the fact that he did not place on record any material, to substantiate that his wife requires a kidney transplant.



5. A perusal of the reply (supra), reveals that wife of the petitioner requires kidney transplant, as she is on dialysis, and is advised for a minimum twice a week hemodialysis.

6. A perusal of the reply (supra), further reveals that there is no one at petitioner's home, who can look after the wife of the petitioner.

7. The relevant extract of the reply (supra), reads as under:-

"7. That in compliance of the orders passed by this Hon'ble Court, the matter of ailing Paramjit Kaur wife of the petitioner Maninder Singh alias Panna, has been got verified from the concerned Doctor Manmeet Singh Jhawar MD/DM Nephrology, Physician and Nephrologist. A certificate received from the concerned doctor is annexed herewith as Annexure R-1, which certify that; Mrs. Paramjit Kaur w/o Maninder Singh is a patient of Chronic Kidney Disease and is advised minimum twice a week Hemodialysis v/s kidney transplant".

8. That the statements of Jatinder Singh Nambardar r/o Nangli Amritsar and Paramjit Kaur wife of petitioner are annexed as Annexure R-2 & R-3. As per the statement of the Jatinder Singh Nambardar, Paramjit Kaur is suffering from kidney problem. Her son Arshdeep Singh is 05 year-old. There is no one in the house of Paramjit Kaur who can look after her."

8. In view of the specific stand of learned State counsel, this Court deems it fit and appropriate to grant the concession of interim regular bail to the present petitioner for a period of 04 weeks from the date of his release. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on interim regular bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

9. However, anything observed here-in-above shall have no effect on the merits of the trial, and is only meant for deciding the present petition.

21.08.2024		(KULDEEP TIWARI)
amandeep		JUDGE
	Whether speaking/reasoned.	: Yes/No
	Whether Reportable.	: Yes/No