



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-49110-2024 (O&M)
Date of Decision:-1.10.2024

Nishan Singh @ Nishan ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. A.K. Agnihotri, Advocate for
Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab,
assisted by ASI Jasbir Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of *interim* bail for one month in respect of a case registered vide FIR No.109 dated 24.7.2024 at Police Station Special Task Force, District SAS Nagar, Mohali under Section 21-C of Narcotic Drugs and Psychotropic Substances Act on the ground that the petitioner's wife has given birth to a child and there is no other member in the family to take care of her.
2. It is averred in the petition that the village Panchayat has also recommended his case for grant of bail. Learned counsel for the petitioner, in this regard, has drawn the attention of this Court to *Panchayatnama* (Annexure P-2) certified by Shri Balkar Singh, Sarpanch of Village Sohawa Police Station Sarhali, District Tarn Taran.



3. Pursuant to issuance of notice of motion to the respondent – State of Punjab and a specific direction issued vide order dated 27.9.2024, learned State counsel, upon instructions from ASI Jasbir Kumar, has informed that the assertions made in the petition as regards giving birth to a child by petitioner’s wife have been verified and found to be correct. Learned State counsel has informed that even the Sarpanch of the village namely Shri Balkar Singh has also verified the said factum. Learned State counsel, however, informed that the petitioner as on date has been behind bars since the last about 2 months and 3 days and stands involved in one more case under Section 379-B of Indian Penal Code.
4. Having regard to the facts and circumstances of the case particularly bearing in mind that petitioner’s wife has given birth to a child and no member is stated to be there in family to take care of petitioner’s wife and new born child, the instant petition is allowed and the petitioner is ordered to be released on *interim* bail forthwith upto 16.10.2024, subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned, so as to enable him to make arrangements for taking care of his wife and child.
5. The petitioner, after availing *interim* bail, shall surrender before the Jail Authorities on the morning of 17.10.2024 by 10:00 A.M.

1.10.2024

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No