



CRM-M-50177-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(282)

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Date of Decision : 15.10.2024

Lovepreet Singh @ Peeta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. H.S. Bhogla, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Section 483 read with Section 528 of BNSS, 2023, a prayer is made for releasing the petitioner on interim bail for a period of three weeks, on account of urgent medical surgery of father of the petitioner. The petitioner was arrested in case FIR No.036, dated 13.05.2024, under Sections 21, 22 and 29 of the NDPS Act, 1985, registered at Police Station Rahon, District Shaheed Bhagat Singh Nagar (Nawanshahr), and is facing a trial in the instant case. The recovery effected in the present case admittedly, falls under the ambit of commercial quantity.

2. The interim bail in the instant case has been sought on the ground that father of the petitioner requires immediate surgery. This Court, vide order dated 04.10.2022, had directed the State to verify the factum regarding the medical condition of father of the present petitioner.

3. In deference to the directions issued by this Court, reply dated 10.10.2024, by way of affidavit of Mr. Raj Kumar, PPS, Deputy



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Superintendent of Police, Sub Division Nawanshahr, District Shaheed Bhagat Singh Nagar, on behalf of the respondent-State of Punjab, furnished by the learned State counsel today in the Court along with the custody certificate dated 14.10.2024, qua the petitioner. The same are ordered to be taken on the record. Perusal of reply (supra), reflects that in fact, the father of the petitioner had already died and he has a step-father, who requires immediate surgery. The relevant extract of the reply (supra), reads as under :-

“7. That it is further submitted that the petitioner has filed the present bail petition for seeking concession of interim bail on the ground that his father requires urgent surgery and petitioner is only male member in the family. In this regard, it is respectfully submitted that the medical examination of the father of petitioner was got conducted from the medical board constituted by SMO Nawanshahr and as per the report of the medical board, the father of the petitioner requires surgery of his scalp wound. Medical Report of the medical board is annexed herewith as Annexure R3. It is further submitted that verification was also got conducted by Station House Officer, PS Rahon, through ASI Ram Pal from the village of the petitioner and statement of Kashmir Singh, Ex. Sarpanch of village Garupar was recorded in this regard and the same is annexed herewith as Annexure R4/T.”

4. In view of the above, since the petitioner is a sole family member and his step-father requires immediate surgery, this Court deem it fit and appropriate to grant the petitioner the relief of interim bail, which shall commence from 21.10.2024, and the petitioner shall re-step into the prison on 04.11.2024, subject to furnishing heavy surety to the satisfaction of the learned trial Court concerned. In case, the petitioner fails to surrender on 04.11.2024, the SHO of the police station concerned is directed to arrest the

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petitioner forthwith and produce him before the learned Judicial Magistrate/trial Court, concerned.

5. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

October 15, 2024
Manpreet

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