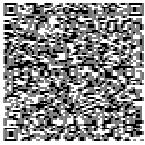


2024:PHHC:159283



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

279

CRM-M-57320-2024 (O&M)
Date of decision: 29.11.2024

Suraj Singh @ Suraj ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Armaan Gagneja, Advocate
for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 Cr.P.C., is for grant of interim bail to the
petitioner in case arising out of FIR No. 14 dated 03.02.2024, registered under
Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985
(for short 'NDPS Act') at Police Station Sadar, Sri Muktsar Sahib, District Sri
Muktsar Sahib on the ground of medical condition of his father.
2. Brief facts of the case relevant for the disposal of the present
petition are that on 03.02.2024, the petitioner along with co-accused
Jashandeep Singh @ Balli was apprehended by a police party and recovery of
1.5 kg. of heroin was effected from them. They were formally arrested at the
spot. The petitioner had earlier filed a petition before this Court seeking grant
of regular bail, but, the same was dismissed as withdrawn with liberty to file
afresh with better particulars. However, the petitioner has filed the present

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petition seeking grant of interim bail on the ground that his father is suffering from life threatening disease and he needs proper medical care. Hence, he may be released on interim bail for a period of two weeks.

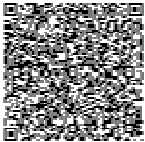
3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. He is in custody since 03.02.2024. His father is suffering from life threatening disease and needs proper medical treatment and since there is nobody at home to look after his father, the petitioner may be granted interim bail for a period of two weeks.

4. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that the petitioner was apprehended by the police party at the spot and a huge quantity of heroin has been recovered from him, which falls under the commercial quantity. He is involved in some other cases of similar nature. It is further submitted that the police officials had gone to Rahat Hospital, Faridkot on 27.11.2024, whereby it was revealed that father of the petitioner was examined as an outdoor patient and he was found to be a drug addict. He was advised for his admission in the GGS Medical College, Faridkot for medical treatment. There are chances of the petitioner's absconding or indulging in similar offences, if released on interim bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner was apprehended by the police party on 03.02.2024 along with aforesaid co-accused and recovery of 1.5 kg. of heroin was effected from them. The quantity of the recovered contraband obviously falls within the ambit of the commercial quantity. As per status report, the father of the

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petitioner is a drug addict. He is not stated to be suffering from any serious disease. The criminal antecedents of the petitioner are not clean as apart from the present case, he is shown to be involved in three more cases under the NDPS Act. Hence, the apprehension of learned State counsel that he may abscond or indulge in similar offences, if released on interim bail, cannot be stated to be unfounded. More so, no reasonable ground for grant of interim bail to the petitioner on the ground of medical condition of his father has been made out. Keeping in view the discussion as made above, the facts emanating from the record and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner does not deserve to be granted benefit of interim bail. Hence, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

29.11.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No