

CRM-M-33838-2026

2026:PHHC:088111



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

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CRM-M-33838-2026**Date of Decision: 25.06.2026****AMARJIT SINGH @ CHIRU**

.....Petitioner

VERSUS**STATE OF PUNJAB**

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. Binat Sharma, Advocate
for the petitioner
(through video conferencing).

Mr. Bhanu Pratap Singh, Addl. AG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 of the Code of Criminal Procedure, 1973), is for the grant of regular bail to the petitioner in FIR No. 48 dated 06.04.2025, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station

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Garshankar, District Hoshiarpur, or with an alternative prayer for interim bail on compelling humanitarian and medical grounds.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner's wife gave birth to a premature baby at 26 weeks of gestation, weighing only 1.6 kg. The petitioner's infant is suffering from a severe, progressive and sight-threatening bilateral congenital eye disorder and requires urgent ophthalmic surgery under general anaesthesia at PGIMER, Chandigarh, as is discernible from Annexures P-3 and P-4. He further submits that the child has been diagnosed with bilateral megalocornea/buphthalmos, congenital glaucoma with elevated IOP, dense corneal haze, and ROP Stage II with pre-plus disease. Any delay in surgery may result in irreversible damage to the optic nerve and visual pathways, leading to permanent blindness. Timely parental presence is medically necessary for pre-operative preparation, surgery and post-operative care. He further submits that the petitioner seeks interim bail to arrange funds and provide care to his infant son, who requires urgent medical treatment.

3. Notice of motion.

4. Mr. Bhanu Pratap Singh, Additional Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and files a status reply by way of an affidavit of Daljit Singh, Deputy Superintendent of Police, Sub-Division Garshankar, District Hoshiarpur, in compliance with the order dated 16.06.2026 passed by this Court. The same

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is taken on record. The Registry is directed to tag the same at the appropriate place.

5. Learned State counsel submits that the aforesaid medical condition and the related medical reports have been duly verified. He further submits that the petitioner's infant is under treatment at the Department of Ophthalmology, Advanced Eye Centre, Post Graduate Institute of Medical Education and Research, Chandigarh, and has been diagnosed with a serious eye ailment.

6. Having heard learned counsel for the parties and perused the record of the case, it transpires that the petitioner's infant is suffering from a serious eye ailment. The petitioner's presence is, therefore, essential for the welfare of the child and for safeguarding his vision.

7. In view of the above, without commenting upon the merits of the case, lest it may prejudice the outcome of the trial, present petition is allowed and petitioner Amarjit Singh @ Chiru is ordered to be released on interim bail for a period of eight weeks, subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/trial Court/Duty Magistrate.

8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court on the merits of the case, and the trial Court shall proceed independently, without being prejudiced by any observation made herein.

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9. The petitioner shall surrender before the concerned jail authorities on 27.08.2026 at 5:00 p.m., unless otherwise ordered by this Court.

(HARPREET SINGH BRAR)
JUDGE

25.06.2026

parul verma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No