



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

CRM-M-58268-2022 (O&M)

Reserved on : 20.03.2025

Pronounced on : 25.03.2025

Kulwant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

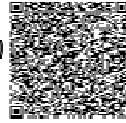
Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. This petition has been filed by the petitioner under Section 439 Cr.P.C. seeking interim bail in case bearing FIR No. 62 dated 29.09.2022, registered under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Rureke Kalan, District Barnala on the ground that his wife is suffering from cancer.

2. Vide order dated 21.12.2022, the petitioner was firstly granted concession of interim bail for a period of 30 days and after availing the same, he had surrendered back within the time stipulated by this Court. Thereafter, vide order dated 17.03.2023, the petitioner was against granted the same benefit on that very ground. Thereafter, he had filed similar applications before this Court for grant of interim bail on the ground that his wife was not maintaining good health due to said disease. Eventually, vide order dated

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27.02.2024, the petitioner was again released on interim bail subject to certain conditions and the said interim bail is still continuing.

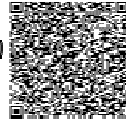
3. Learned counsel for the petitioner has submitted that the wife of the petitioner, who is suffering from Cancer, is still in very bad health condition and needs the proper care by the petitioner. It is further submitted that the petitioner has been granted concession of interim bail on different occasion and he has never misused the same and has always surrendered back within the time stipulated by this Court. Trial is going on and the petitioner is regularly appearing before the learned trial Court as and when his presence is required. More so, co-accused Buta Singh, who was also apprehended by the police on the fateful day, has already been granted concession of regular bail by this Court, vide order 14.11.2023 passed in **CRM-M-46343-2023**. Keeping in view the aforesaid facts, no useful purpose would be served by detaining the petitioner into custody. Hence, it is urged that the petition deserves to be allowed and the interim bail granted to the petitioner deserves to be confirmed.

4. *Per contra*, learned Assistant Advocate General, Punjab has opposed the prayer of the petitioner on the ground that the allegations against him are quite serious as he was found in possession of commercial quantity of intoxicant tablets along with co-accused Buta Singh. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties and have also gone through the material placed on record very carefully.

6. Admittedly, the wife of the petitioner is suffering from Cancer and is in very poor condition. He has been granted concession of interim bail

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by this Court on different occasions and has always surrendered back within the time stipulated and has never misused the same. Now, he is on interim bail since 28.02.2024 and there is no complaint that he has either misused the same or has ever absented himself before the learned trial Court. Moreover, similarly situated co-accused Buta Singh has already been granted concession of regular bail by this Court, as mentioned above. Keeping in view the same as well as the peculiar facts and circumstances of the case, I am of the considered opinion that no useful purpose would be served by detaining the petitioner into custody. Accordingly, without making any comment on the merits of the case, the present petition is allowed. The interim bail granted to the petitioner, vide order dated 27.02.2024, is hereby confirmed and is converted into regular one, pending trial.

7. However, it will be open for the learned trial Court to cancel the bail granted to the petitioner in case he makes even a single default in appearing before it on the dates so fixed.

25.03.2025

*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*