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

**CRM-M-15173-2025 (O&M)
Date of decision: 24.03.2025**

Namdev Singh @ Naamdev Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This is third petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') read with Section 483 of BNSS for grant of interim bail to the petitioner for a period of two months, in FIR No.32 dated 17.02.2024 under Sections 21/25/29/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Gharinda, District Amritsar (Rural), for treatment of his wife.
2. The first petition i.e. CRM-M-48193-2024, seeking interim bail to

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the petitioner was allowed vide order dated 30.09.2024 (Annexure P-2) and second petition i.e. CRM-M-6185-2025 was dismissed as withdrawn on 20.02.2025 with liberty to file a fresh petition on the same cause of action by attaching all the medical record pertaining to medical condition of his wife.

3. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was arrested in FIR (*supra*) for having in possession of 01 kg of heroin and Rs.6,000/- as drug money and since then, he is in custody. Earlier also, the petitioner was granted interim bail for a period of four weeks by this Court vide order dated 30.09.2024 passed in CRM-M-48193-2024 and on filing an application i.e. CRM-44506-2024, the interim bail was extended for further period of one week vide order dated 11.11.2024. The petitioner, after availing the interim bail, surrendered before the jail authorities well within time granted by this Court and he has not misused the concession. Now the petitioner is seeking interim bail purely to save the life of his wife and there is no other family member in his family to look after her. The petitioner has two children, out of which, one is less than 06 months and complication to his wife arose during birth of second child. Learned counsel for the petitioner relies upon medical certificate dated 05.03.2025 (Annexure P-4) issued by Dr. Ritu Hospital, Amritsar, which is reproduced as under: -

“This is clarify that Sandhiya w/o Namdev Singh r/o Kot Khalsa, Amritsar was come here 18-01-25 with complication Heavy

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Bleeding and stomach pain. After that she's again visit 21-01-25 with same problem. So I advised to Ultrasound scan. After report ultrasound diagnosed Reducible Incisional Site Hernia. So I advised her to emergency Surgery. She's visit again 21-02-25 same problem and advised Ultrasound Pelvis and according to report problem increase to 1st report, but she's not start her treatment. She's again come here 05-03-25 swear pain in stomach & heavy bleeding. Patient has need surgery immediately, if she's not then hospital is not respond for all. So I advise her to immediately admission & surgery."

4. *Per contra*, learned State counsel appears on advance notice and submits that the petitioner has not misused the concession of interim bail earlier granted to him for taking care of his ailing wife. As such, on humanitarian grounds, prayer of the petitioner may be considered.

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. Keeping in view the facts and circumstances of the case, present petition is allowed and for getting surgery of his wife done, as advised vide medical certificate dated 05.03.2025, the petitioner is directed to be released on interim bail for a period of 08 weeks from the date of his release, subject to his furnishing bail/surety bonds to the satisfaction of learned trial Court/Illaq

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Magistrate concerned.

7. On completion of period of interim bail, the petitioner is directed to surrender before the jail authorities at 05.00 p.m.

24.03.2025

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**[HARPREET SINGH BRAR]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No