

Punjab-Haryana High Court

Irsad Alam Alias Mia Ji vs Union Of India on 31 May, 2022

CRM-M No. 24088 of 2022

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In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 24088 of 2022

Date of Decision: 31.5.2022

Irsad Alam @ Mia Ji

.....Petitioner

Versus

Union of India

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Pooja Jaglan, Advocate
for the petitioner.

Mr. Rajiv Sharma, Advocate
for the respondent-UOI.

Mr. Tanuj Sharma, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner is in judicial incarceration in respect of FIR bearing No. 672 of 13.10.2021, registered at Police Station Shahbad, District Kurukshetra, wherein offences constituted under Sections 18, 27-A, 29-61-85 of the NDPS Act, are embodied.

2. Through the instant petition, the petitioner, though does not ask for his being admitted to regular bail, in respect of the petition offences, but he makes a prayer, that since his wife is likely to deliver a baby, within two days, thereupon, he be granted interim bail for the afore purpose.

3. Though, this Court declines to the petitioner, the relief of interim bail, but to ensure, that the present petitioner remains with his pregnant wife, and, also with her at the time of hers delivering a baby, and, besides also with his minor baby. Therefore, this Court deems it fit, and, appropriate to direct the Superintendent of Police, Kurukshetra, to forthwith deploy two armed escorts along with the present petitioner to ensure that he 1 of 2 along with them proceeds to his native home at Jharkhand. The armed guards to be deployed by the Superintendent of Police, Kurukshetra, with the present petitioner, shall for a period of two months, stay along with him, at the native place of the petitioner. After the conclusion of two months, the armed guards shall ensure the retrieval, of the present petitioner into the prison concerned.

4. All the expenses towards the to and fro travel of the present petitioner along with the armed guards, shall be borne by the State of Haryana. Moreover, all the expenses towards the board, and,

lodging of the armed guards, during their stay along with the petitioner, at the latter's home, shall also be borne by the State of Haryana.

5. In addition, it is also directed, that the State of Haryana shall bear all the expenses appertaining to the hospital expenses, as would become incurred, upon the petitioner's wife being operated. Moreover, the expenses towards the diet, and, nutrition of the baby, to be delivered by the wife of the petitioner, and, also towards the diet, and, medicines, of the wife of the petitioner, shall also be borne by the State of Haryana. However, the above expenses shall be borne only upto the period of three months, unless subsequently, they are also required to be expended, on both the minor child as well as the wife of the present petitioner, through advices, being given by the doctor concerned.

6. The petition stands disposed of.

(SURESHWAR THAKUR)
JUDGE

May 31, 2022
Gurpreet

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

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