

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

236

CRM-M-40754-2025
Date of decision: 19.08.2025

GURNAM SINGH ALIAS GAMA ALIAS GAMMA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Aditya Anand, Advocate for the petitioner.

Mr. Jasdeep Singh, Additional A.G, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Present petition has been filed by the petitioner, seeking grant of interim regular bail in case bearing FIR No.83, dated 26.04.2019, under Section(s) 22 of the NDPS Act, registered at Police Station Sultanpur Lodhi, District Kapurthala, for a period of six weeks, on the ground that her widowed mother requires urgent medical attention as per medical opinion dated 09.07.2025 (Annexure P-2).

2. In the instant interim regular bail petition, on 30.07.2025, following order was passed:-

1. *Present petition has been filed by the petitioner, seeking grant of interim regular bail in case bearing FIR No.83, dated 26.04.2019, under Section(s) 22 of the NDPS Act, registered at Police Station Sultanpur Lodhi, District Kapurthala, for a period of six weeks, on the ground that her widowed mother requires urgent medical attention as per medical opinion dated 09.07.2025 (Annexure P-2).*



2. *Learned counsel for the petitioner relies upon the medical opinion dated 09.07.2025 (Annexure P-2) which reads as under:-*

“Patient Name: Bholi w/o Sukhdev Singh

Age: 65 years

Sex: Female

Ref. No.: 74224

To whom it may concern

This is to certify that Bholi w/o Sukhdev Singh r/o Village-Toti, Sherpur Dona, District-Kapurthala came to my hospital for the treatment of inferior myocardial infarction with elevated cardiac markers, ST segment elevation and very high triglycerides levels. After 12 hours of initial treatment, patient is advised emergency surgical intervention in an advanced cardiac center. But the patient refuses to take treatment in the absence of her son Gurnam Singh who is currently sentence in Kapurthala Prison. For the sake of human life, I humbly request the respected higher jail authorities to allow her son to be her side during the tenure of her treatment. I will be highly obliged.

Thanking You,

Your Sincerely

Dr. Vikrant Bhatia

Dated: 09.07.2025

Mobile No.82849-21702”

3. *Counsel for the petitioner submits that petitioner was granted interim bail by the trial Court, vide order dated 04.07.2019, as the FSL report regarding the alleged recovery of 255 grams of an*



intoxicating substance was not received at that time. However, upon receipt, the substance was identified as Alprazolam, which falls under the category of commercial quantity. Consequently, the interim bail granted earlier was cancelled, vide order dated 09.03.2021, and non-bailable warrants of arrest were issued against the petitioner.

Thereafter, petitioner filed a second anticipatory bail application, which was dismissed by the trial Court, vide order dated 20.03.2024. A subsequent anticipatory bail petition filed before this Court was disposed of as having been withdrawn, vide order dated 28.05.2024. However, petitioner surrendered himself on 14.05.2025 and has remained in custody since then. Charges have also been framed in the case.

4. *Learned counsel for the petitioner further submits that recovery has already been effected and no further investigation remains pending as far as the petitioner is concerned.*

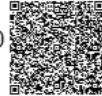
5. *It is further submitted that petitioner is willing to participate in the proceedings and appear on each and every date, if released on regular bail. Request for bail is made in view of the urgent need for the petitioner's presence at home to assist his ailing mother, who requires proper medical treatment as per the doctor's recommendation dated 09.07.2025.*

6. *Notice of motion.*

7. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

8. *Adjourned to 11.08.2025.*

9. *Let status report be filed by learned State counsel, which would specifically include details regarding the medical condition of the petitioner's mother, as well as clarify whether any other family member is available to look after her in the absence of the petitioner.”*



3. Status report dated 18.08.2025 by way of an affidavit of Hargurdev Singh, Deputy Superintendent of Police, Sub-Division Sultanpur Lodhi, Kapurthala, Punjab has been filed on behalf of respondent-State. The same is taken on record. Copy of the said status report has been handed over to counsel for the petitioner in Court today.

4. Para 8 of the said status report expresses that apart petitioner, there is petitioner's wife namely Baljit Kaur and three other brothers of the petitioner namely Amar Singh, Jarnail Singh and Jaswinder Singh, who can very well look after the mother of the petitioner in his absence. They all are living as a joint family and are residents of village Toti, Sultnapur Lodhi, District Kapurthala, Punjab. Explanation given in the said status report reads as under:-

“i. That as per the information obtained vide medical slip dated 31.07.2025, the mother of the petitioner was given treatment for her ailment on 09.07.2025 and was treated at the hospital for a total of 12 hours and was further advised surgical treatment. However, she has not undergone surgery yet and is presently at home. That a copy of the said doctor slip dated 31.07.2025 is annexed as Annexure R-1.

ii. That as per the information obtained by the Police authorities, the petitioner is married to Baljit Kaur and has two children aged about 9 and 7 years. He also has three brothers namely Amar Singh, Jarnail Singh and Jaswinder Singh who can look after the mother of the petitioner in his absence. They all are living as a joint family and are residents of village-Toti, Sultanpur Lodhi, District Kapurthala, Punjab.”

5. In view of above, no ground is made out to grant interim regular bail to the petitioner on account of medical health condition of the mother of



petitioner.

6. Moreover, petitioner himself has appended his mother's medical certificate dated 09.07.2025 issued by one Dr. Vikram Bhatia, and it is quite surprising that even the treating doctor himself has requested the jail authorities to allow the petitioner to be his mother's side during the time of her treatment. Such a recommendation is inappropriate on the part of any doctor, while issuing any medical certificate regarding health of someone, who is simply a patient for treatment before him/her.

7. Accordingly, present petition is hereby dismissed.

19.08.2025
amandeep

(SANJAY VASHISTH)
JUDGE

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

