

IN THE HIGH COURT OF DELHI AT NEW DELHI

SUBJECT : NDPS ACT

Date of hearing and order: December 05, 2008

Bail Application No.2236 /2008

Swaran Singh ... Petitioner
Through: Mr.Jitender Sethi and Mr. Vikram Berwal, Advocates

Versus

D.R.I. ... Respondent
Through: Mr. Satish Aggarwal, Advocate.

SUNIL GAUR, J.

1. Petitioner is facing trial in a case under Narcotic Drugs and Psychotropic Substances Act relating to recovery of fifteen kilograms of heroin having purity of 73.1%. In this petition, he is seeking interim bail for a period of four months to look after his ailing wife and his son who is said to have fractured his right forearm in an accident.

2. Medical Certificate dated 1.11.2008 of petitioner's wife indicates that she has been advised physiotherapy and since she is having pain while moving, she needs an attendant to look after her in the Hospital. As per medical certificate dated 3rd November, 2008 of petitioner's son, his fracture will be reset and plaster cast will be applied and he also needs an attendant.

3. Although aforesaid medical certificates have been got verified but as per the status report/reply filed, petitioner's family is said to be residing jointly consisting of his brothers and other family members are there to take care of petitioner's wife and son.

4. In view of the aforesaid factual position of petitioner's family living in a joint family and petitioner's brother and other members being there to take

care of petitioner's wife and son, no case for grant of interim bail is made out. This petition is accordingly dismissed.

Sd/-
SUNIL GAUR, J