

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

**CRM-M-47600-2017 (O&M)
Date of decision:- 09.03.2018**

Madan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. R.P. Dhir, Advocate, for the applicant-petitioner.

Mr. Amitoj S. Dhaliwal, DAG, Punjab.

MAHABIR SINGH SINDHU, J. (ORAL)

CRM-7741-2018

Application is allowed, as prayed for. Accompanying documents (P-5 to P-7) are taken on record, subject to all just exceptions.

CRM stands disposed of.

CRM-M-47600-2017

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.29 dated 15.02.2017, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Division No.8, Nakodar, District Jalandhar.

2. It has been pointed out by learned counsel for the petitioner

that in terms of order dated 19.12.2017, he is pressing the present petition only for the consideration of bail of the petitioner on medical grounds and not on merits.

3. In pursuance of order passed by this Court on 02.02.2018, an affidavit of Lalit Kumar Kohli, PPS, Deputy Superintendent, Central Jail, Jalandhar, was filed and para 3 of the same is as under: -

“Madan s/o Prem known case of HIV and HCV. He was referred to ART Center Jalandhar on 25.04.2017, 29.05.2017, 15.12.2017. He was checked by doctor's of ART Center. His ART treatment was started.

Madan s/o Prem was again referred to ART Center Jalandhar on 04.01.2018. He is on ART treatment from ART center Jalandhar. At present patient is also given special diet and medication as advised by doctor's of ART center in jail.”

4. From the contents of the affidavit it is apparently clear that the petitioner is a chronic patient of HIV and HCV and he is being given special diet and medication by the jail authorities.

5. In view of the facts and circumstances of the case as well as the health condition of the petitioner that he is a chronic patient of HIV/HCV and require special diet and care, interim bail for a period of six months is granted to the petitioner on his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court. The trial Court is requested to expedite the trial. In case the trial is concluded and accused is convicted or acquitted before six months, the benefit of bail shall stand rendered inconsequential.

It is made clear that the petitioner shall co-operate with the trial and will not escape from any date of hearing.

Consequently, the present petition stands disposed off in the above terms.

March 09, 2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether reportable?	Yes
Whether reasoned/speaking?	Yes