

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

242

CRM-M-26264-2018

DATE OF DECISION: 23.07.2019

BALDEV SINGH @ THANDU

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Nitin Rathour, Advocate for
Mr. B.S. Bhalla, Advocate for the petitioner(s).

Mr. Dhruv Dayal, Senior, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.19 dated 22.01.2018, under Section 22 of the NDPS Act, registered at Police Station City South, District Moga.

Learned counsel for the petitioner states that the allegations against the petitioner are that 260 grams of Alprazolam was recovered from him. The petitioner is HIV positive. He is not involved in any other case of NDPS Act. He is in custody for over 1 ½ years. In the affidavit filed by the Deputy Superintendent, Central Jail, Faridkot, it has been admitted that the petitioner is HIV positive for which he is currently undergoing anti-retroviral treatment and he is being given special high protein diet. He has been complaining of non-specific bodily pain symptoms for which, consultation by an MD Medicine has been sought.

Learned State counsel, upon instructions from ASI Sukhpal Singh, states that 3 out of 11 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is HIV positive and requires medical treatment, he is in custody for over 1 ½ years and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

23.07.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

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