

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

254

CRM-M-13944-2019 (O&M)

DATE OF DECISION: 15.07.2019

UMED SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. N.S. Panwar, Advocate for the petitioner(s).

Mr. Neeraj Poswal, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.32 dated 20.01.2017, under Section 20 of the NDPS Act, 1985, registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner contends that the petitioner is suffering from heart ailment and allegations against the petitioner are that 1 kg 40 grams (1.04 kg) charas was recovered from him. He further contends that the petitioner had earlier been granted interim bail on account of ill health which was cancelled on 21.02.2019. The petitioner could not appear before the trial Court as he was suffering an advanced heart ailment. He is in urgent need of a heart transplant. He has referred to the medical record in this regard from PGIMS, Rohtak which is at Annexure P-8. He is 65 years old. He also contends that if the weight of the bag from which the charas was recovered is excluded it is possible that the quantity would be less than the commercial quantity. He has relied upon the judgment of the coordinate

Bench of this Court in the case of **Ankush Kumar @ Sonu Vs. State of**

Punjab passed in CRM-M-30643 of 2018, decided on 09.08.2018. He is not involved in any other case.

This Court by the order dated 22.05.2019, had directed the petitioner to appear before the trial Court on 24.05.2019 and on his doing so, he was to be released on interim bail.

Learned counsel for the petitioner states that the petitioner had appeared before the trial Court and on 24.05.2019, he was released on interim bail.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner, who is 65 years of age, is in need of heart transplant and he is not involved in any other case, 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.

15.07.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No