

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

258

CRM-M-20068-2019 (O&M)

DATE OF DECISION: 19.12.2019

RAJVEER SINGH @ NIKKA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Yashpal Thakur, 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.006 dated 27.01.2019, under Section 22 of the NDPS Act, 1985, registered at Police Station GRP Sirhind, District Fatehgarh Sahib, Punjab.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 70 vials of Avil and 70 injections 2 ml each containing Buprenorphine are alleged to be recovered from the petitioner. He further states that Avil does not constitute an offence under the NDPS Act. He also states that the petitioner is HIV+ and is undergoing ART (anti retroviral treatment). The petitioner is in custody for about 11 months and is not involved in any other case under the NDPS Act.

In the affidavit filed by the Superintendent, New District Jail, Nabha, it is stated that the petitioner was examined by a Board of Doctors in terms of the directions of this Court. The report of the Medical Board has been appended as Annexure R-2 wherein it is stated

that the petitioner is already on ART (anti retroviral treatment) and his CD4 count was 468.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is an HIV+ and undergoing ART (anti retroviral treatment), he is in custody for about 11 months, he is not involved in any other case under the NDPS Act 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 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.

(ANUPINDER SINGH GREWAL)
JUDGE

19.12.2019.

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