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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-21468-2019 (O&M)  
Date of decision-12.07.2019

Lovedeep Garg

....Petitioner

Vs.

State of Punjab

...Respondent

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. P.S.Sekhon, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by  
ASI Makhan.

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**MANOJ BAJAJ, J.**

Petitioner-Lovedeep Garg has prayed for grant of regular bail in case FIR No.03 dated 08.01.2019 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Raman, District Bathinda.

On 08.01.2019, when the Police party was on patrol duty, at about 06.00 p.m., one beat car bearing registration No.PB-11CJ-2530, white in color was seen coming from link road of Sekhu, in which two persons were sitting. On seeing the police, they tried to run away. On suspicion, both persons were apprehended. After formalities, the search was conducted and 2200 intoxicant tablets of clovidol-100S were recovered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that

there is no other case against the petitioner. The attention of the Court is invited to Annexure R-1 i.e. Medical Status report of the petitioner to contend that the concession be considered on sympathetic ground. Further, he invited attention of the Court to the order dated 28.06.2019, which reads as under:-

*“Medical Status report by way of affidavit of Shri Manjit Singh, Deputy Superintendent, Central Jail, Bathinda has been filed today in Court, wherein it has been stated that the applicant/petitioner is suffering from Grade-1 Hydronephroses of left kidney with left renal calculus, Fatty liver Grade-1, pressure sort of left leg due to prosthetic leg, for which he is being given treatment from Civil Hospital, Bathinda and Jail Hospital, Bathinda. Learned counsel for the petitioner submits that left leg of the petitioner is amputated and he has been fitted with a prosthetic leg below his knee. He further submits that during his custody period in jail, due to weakness/shrinkage, his left leg has shortened and he is unable to stand or walk properly. He further submits that the petitioner has been deprived of regular check up from his Orthopaedician at Ludhiana, despite dire urgency caused by shortening of his leg. Learned counsel also submits that for the past 5 months, the petitioner has also been unable to get himself checked from his Nephrologist at Chandigarh. However, since regular bail petition of the petitioner is already slated for hearing on 12.07.2019, the present application be also heard on the same date. Adjourned to 12.07.2019.”*

On the other hand, learned State counsel assisted by ASI Makhan has opposed the bail application on the ground that the contraband recovered from the petitioner is commercial in nature. He further states that the charges in the present case have been framed on 22.05.2019. The petitioner is in custody since his arrest on 08.01.2019.

Considering the above background, the fact that the trial is likely to take sometime, this Court is of the opinion that further detention of

the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Bathinda.

The petition is allowed.

(MANOJ BAJAJ)  
JUDGE

12.07.2019  
vanita

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |