

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 213 (2)

CRM-M-4785-2020 (O&M)

Date of decision : 15.07.2020

Balwant Singh @ Bobby

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.T.P.Singh, Advocate, for the petitioner.

Mr.V.G.Jauhar, Sr. DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Affidavit filed on behalf of the State is ordered to be taken on record. Copy of the same has been supplied to learned counsel for the petitioner.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.75 dated 06.08.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Kathgarh, District SBS Nagar.

Seeking regular bail for the petitioner learned counsel submitted that the petitioner is in custody since 06.08.2019; there is no other criminal case against the petitioner in which he is involved; he is suffering from HIV infection; charges against him have been framed and thus he is not in a position to tamper with the investigation and since no witness has been examined the trial is likely to take a long time to conclude.

Learned State counsel does not dispute the above factual position.

The petitioner is in custody since 06.08.2019; there is no other

criminal case against the petitioner in which he is involved; he is suffering from HIV infection; charges against him have been framed and thus he is not in a position to tamper with the investigation and since no witness has been examined the trial is likely to take a long time to conclude. Therefore, this Court is of the opinion that no useful purpose would be served in further incarceration of the petitioner.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Shaheed Bhagat Singh Nagar the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

15.07.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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