

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

CRM-M-9049-2020(O&M)

Date of decision: 26.11.2020

Hardeep Dhiman

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Pritam Singh Saini, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-28625-2020

This is an application under Section 482 Cr.P.C. for preponement of the date of hearing of the main petition, which is fixed for 07.01.2021.

Notice of the application.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State and submits that he has no objection, if the present application is allowed.

In view of the above, the present application is allowed and the main petition is preponed for today and taken up on Board for hearing.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 141 dated 23.11.2019 registered under Section 22 of the NDPS Act, 1985, at Police Station Phase-11, Mohali.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. The alleged recovery of 1100 intoxicant tablets of Alpranof 0.5 was effected from the polythene being carried by the petitioner in his right hand. The petitioner has been in custody since 23.11.2019.

Learned counsel for the petitioner brought to the notice of this Court, a letter dated 20.08.2020 (Annexure P-3) issued by the Medical Officer, District Jail, Ropar, stating therein that the petitioner is suffering from chronic diabetes and falls under the category of inmates who medically qualify for relief under High Power Committee guidelines. He further brought to the notice of this Court, a letter (Annexure P-4) wherein names of 5 inmates, including the petitioner eligible for parole/bail under medical criteria of High Power Committee, issued under the signatures of Senior Medical Officer, Medical Specialist, Civil Hospital Ropar, and Medical Officer, District Jail, Ropar.

Learned State counsel points out that the recovered contraband falls under the commercial quantity and on the instruction from SI Simran submits that there is no other case against the petitioner. Challan has been presented.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.11.2019. The petitioner is patient of chronic diabetes and there is no other case against the petitioner. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

26.11.2020
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No