

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

CRM-M-13018-2020 (O&M)
Date of decision: **06.08.2020**

ISHAN

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Gagan Oberoi, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.148 dated 31.8.2019 under Section 21 of NDPS Act at Police Station Division No.3, District Ludhiana, Punjab.
2. On the last date of hearing, this Court had directed that the petitioner be got medically examined as regards his averments to the effect that he has 'Hepatitis-C' ailment.
3. Pursuant to aforesaid order dated 11.6.2020, the learned State counsel has furnished an affidavit of Sh. Rajiv Kumar Arora, PPS, Superintendent, Central Jail, Ludhiana wherein it has been deposed that the petitioner has been got medically examined. The medical report in respect of the

petitioner which is annexed with the said affidavit/reply (Annexure R-1) reads as follows:

*“This is to state that as per record UT Ishan S/o Vinod Gupta is known case of **Hepatitis C** for which he is on medication since 20.06.2020 vide HCV UID No.00170. The patient is being prescribed medication during his routine visit in Jail Hospital. Presently, he is in satisfactory condition and has no fresh medical complaint. There is nothing to suggest that the inmate is critical in any way or form.”*

3. In view of the aforestated reply wherein it has been specifically reported by the Medical Officer that there is nothing to suggest that inmate is critical in any way or form, this Court does not find any ground for release of the petitioner on medical grounds.
4. As regards consideration of the case for grant of bail on merits, it is the case of prosecution that on 31.8.2019 a secret information was received by the police to the effect that one Amit Sachdeva, Ishan and Reena Rani indulge in sale of intoxicant tablets and capsules and that on the said date also they had brought huge quantity of intoxicant pills and capsules, which they had kept in the rental accommodation of Reena and that huge quantity is also lying in the grey coloured Verna car parked outside their house and they were waiting for customers. It is further the case of the prosecution that pursuant to receipt of aforesaid information, the police proceeded to the nominated place and apprehended all the 3 accused and 84,000 tablets of ‘Tramadol’ were recovered from the Verna car.
5. Learned counsel for the petitioner has vehemently argued that he has

falsely been implicated in the present case and that he has nothing to do with the car in question from which recovery has been allegedly effected and that the same does not belong to him.

6. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and there was specific information against him regarding his indulging in the sale of intoxicant tablets and that the said information turned out to be correct as the police immediately swung in action and reached the nominated place where the petitioner along with 2 of his co-accused was apprehended red-handed and 84,000 tablets of 'Tramadol' were recovered from the car in question, no case for grant of bail is made out.
7. Having heard learned counsel for the parties and keeping in view the fact that it is a case of recovery of commercial quantity of contraband and that there is nothing at this stage to suggest that the petitioner has been falsely implicated in the present case and that in case the petitioner is released on bail, he would not to commit any such offence, this Court does not find any ground for releasing him on bail. The petition, as such, is sans merit and is hereby dismissed.

06.08.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**