

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

1. CRM-M-13680-2020

Sarwan Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-14521-2020

Sukhwinder Singh @ Kinder

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 25.11.2020

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vipul Jindal, Advocate
for the petitioner in CRM-M-13680-2020.

Mr. Akhilesh Vyas, Advocate
for the petitioner in CRM-M-14521-2020.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

Prayer in these petitions, filed under Section 439 of the Code of
Criminal Procedure, is for grant of regular bail to petitioners Sarwan Singh
and Sukhwinder Singh @ Kinder in case FIR No. 77 dated 18.08.2019,
registered under Sections 21/25/27/29 of the NDPS Act, 1985 at Police

Station Special Task Force (STF), Punjab, District STF Wing, Mohali.

Learned counsel for the petitioners have argued that as per the allegations in the FIR, both the petitioners were found in separate possession of 300 Grams of Heroin.

Learned counsel for the petitioners further argued that co-accused Iqbal Singh, who was nominated subsequently on the disclosure of other accused who were arrested at the spot, has been granted concession of anticipatory bail by this Court, vide order dated 01.11.2019 passed in ***CRM-M-45778-2019***.

It is further submitted that another co-accused, namely Dalwinder Singh @ Gora, has been granted concession of regular bail by this Court, vide order dated 24.02.2020 passed in ***CRM-M-7098-2020***.

Learned counsel for the petitioners have further argued that both the petitioners are in judicial custody for the last about 01 year and 03 months; *challan* stands presented on 13.07.2020; charges were framed on 20.07.2020; out of total 15 prosecution witnesses, none has been examined so far and in view of COVID-19 situation, the conclusion of trial is likely to take a long time.

Learned counsel, appearing for petitioner Sarwan Singh, has additionally argued that Medical Officer, Central Jail, Amritsar, on 20.10.2020, has given a certificate to the Superintendent regarding health condition of the petitioner that he is a known case of Coronary Artery disease with Acute Coronary Syndrome, NSTEMI Myocardial infarction. It is further stated that he was admitted in PGIMER, Chandigarh, where stenting was done for his heart. It is also reported that for the last three months, he has frequent chest pain with numbness on the left side and due

to the fact that OPDs are not in operation in Govt. hospitals, the petitioner may be allowed to undergo his treatment from a private hospital keeping in view his deteriorating health conditions.

Learned State counsel has not disputed the factual position but opposed the bail.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the parties, the instant petitions are allowed and petitioners Sarwan Singh and Sukhwinder Singh @ Kinder are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

25.11.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No