

CrI. Misc. No. M-16445 of 2020
Date of Decision: August 06, 2020

Manjinder Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rajiv Joshi, Advocate
for the petitioner

Mr. Ajay Pal Singh Gill, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 40 dated 03.04.2018 registered under Section 22 of the NDPS Act, 1985 at Police Station Chabewal, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has been in custody for over two years and that the trial is not likely to be concluded at an early date as three more PWs remain to be examined. Further, the petitioner is HIV positive and he is entitled to regular bail on the basis of guidelines circulated by the State of Punjab vide memo dated 02.05.2020.

Custody certificate dated 05.08.2020 has been filed in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 2 years, 1 month and 18 days and there is no other criminal case pending against him.

Learned State counsel admits that the petitioner is HIV positive and that he is covered by the guidelines circulated vide memo dated 02.05.2020. He also admits that three more PWs remain to be examined.

Keeping in view the aforementioned guidelines circulated vide memo dated 02.05.2020 as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 06, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No