

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

CRM-M-28966-2020 (O&M)

Date of Decision:- 3.12.2020

Gurvinder Singh

...Petitioner

Versus

Intelligence Officer Narcotics Control Bureau Amritsar

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Ms. Supriya, Advocate, for the petitioner.

Mr. Sanjay Vashishth, Advocate, for the respondent.

MANOJ BAJAJ, J. (Oral)

The petitioner has filed this petition under Section 439 Cr.P.C. For grant of regular bail, pending trial in case NCB Crime No 02/2017, Dated 12.01.2017, under Sections 8, 18, 21 and 25 of NDPS Act, pending before the Court of learned Special Judge, Amritsar. The petitioner is in custody since his arrest on 12.01.2017.

The complaint was registered against the petitioner by Sh. Rajneesh, Intelligence Officer, NCB, Amritsar on the basis of a specific information received from reliable source that a person namely Gurvinder Singh s/o Late Sardar Jodh Singh, R/o H. No. C-07 Golden Avenue, Amritsar has illicitly stocked/concealed a huge amount of ayurvedic medicinal preparations of Kamini, Barsasa, Hubbe Mumsik and other medicines containing opium on the first floor of the said house without any valid license, documents.

Ld. Counsel for the petitioner contends that though the petition has been filed for grant of regular bail but she at this stage is pressing the

alternative prayer for interim regular bail on medical grounds. She has further, argued that the petitioner is suffering from medical problems and has invited attention of the Court to report dated 12.10.2020 (Annexure P-11), submitted by Superintendent, Central Jail, Amritsar, which reads as under:

“The Gurvinder Singh s/o S. Jodh Singh is found to be suffering from Bronchial Asthma with hypertension from last 15 years, as per chest and TB specialist, which has been declared as chronic disease by board of doctors of Civil Hospital Amritsar and verified by SMO. Presently he is having an attack of Bronchial Asthma which is triggered by change of season, dust or smoke and is undertreatment of chest and TB specialist of Civil Hospital, Amritsar vide OPD No 1004512000 dated 01.10.2020 and she prescribed inhaler and other required medicines, his sprometry on 16.07.2020 showed severe restrictions with ESA disorder. He is also suffering from left inguinal hernia with varicocele (bilateral) also suspected of space occupying lesion, hamengioma. He has been provided treatment which has been prescribed by chest and TB specialist, but air pollution, dust, smoke cannot be prevented which triggers such attacks.”

On the other hand Ld. Cousnel for NCB has opposed the prayer and contended that proper treatment is being given to the petitioner.

Ld. Counsel for the parites have been heard.

A perusal of the above report indicates that the ailments suffered by the petitioner are old and he is being provided proper treatment. It is nowhere mentioned that the condition of the patient is worsening and he requires some special treatment.

During the course of hearing it is also not disputed by learned counsel for the parties that the trial is at the fag end as the prosecution has already closed its evidence on 6.12.2019 and the case is pending for defence evidence since 14.1.2020.

Considering the above background and the quantity of contraband recovered from the petitioner, no case is made out for concession of regular bail to the petitioner.

Dismissed.

December 3, 2020
Neelam

(MANOJ BAJAJ)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No