

VICTOR ADMYE DEVID

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Tarun Singhal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*VIVEK PURI, J. (ORAL)

The status report by way of affidavit has been filed in the Court through email which is taken on record.

Precisely, the case bearing FIR No. 81 dated 15.03.2019, under Sections 21 of NDPS Act has been registered at Police Station Phillaur, District Jalandhar against the petitioner in pursuance of the recovery of 2.5 Kg of Heroin.

It has been pointed out by the learned counsel for the petitioner that the petitioner is suffering from serious medical ailments. It may be mentioned here that the status report has been sought with regard to the ailments being suffered and treatment being provided to the petitioner. It has been reported that the petitioner is being provided with the treatment from Civil Hospital, Kapurthala and as per the certificate issued by the Medical Officer, Central Jail, Kapurthala, at present, the petitioner is in a stable condition.

It has been pointed out by the learned State counsel that appropriate

recovered from the possession of the petitioner falls in the category of commercial quantity. The petitioner is a foreign national and one more case under the NDPS Act has been registered against him.

The quantity of contraband recovered from the possession of the petitioner falls in the category of commercial quantity. As such, stringent provisions of Section 37 of the NDPS Act come into play. There is nothing to suggest that the petitioner has not committed offence and is not likely to commit the offence while on bail. Moreover, the petitioner is being provided for appropriate medical treatment and his present condition is stable.

Keeping in view aforesaid circumstances, no ground is made out to extend the concession of bail to the petitioner.

In view of the above, the present petition is dismissed.

24.12.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No