

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

208

**CRM-M No.36325 of 2019
Date of Decision: 28.1.2020**

SADHA SINGH @ SADHA RAM

.....Petitioners

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.R.S.Rana, Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.167 dated 24.10.2016 under Sections 15/ 22 of the NDPS Act registered at Police Station Dirba District Sangrur.

In pursuance of order dated 13.12.2019, a report has been received from the trial Court in the context of medical status of the petitioner, who was diagnosed to be a patient of HIV with AIDS. As per opinion of the board of doctors, the patient was presented before the board on 13.1.2020 and was examined by the board as per hospital records. The patient was allotted with A.R.T. Registration No. PB-PTA-7496 and was having CD4 count of 111 and he was put on Anti Ritro Viral

Therapy (treatment for AIDS) on the same day. The patient was on follow up and coming to A.R.T. Centre of Rajindra Hospital, Patiala regularly. Last count of CD4 cells of the patient as on 10.1.2020 was 71.

Earlier the petitioner was granted interim bail on the ground that he was not present at the spot when the alleged contraband was recovered and as he was HIV positive. Petitioner absented from the Court and thereafter, his bail was cancelled and bonds were forfeited to the State.

In pursuance of order dated 13.11.2019, petitioner has already appeared before the trial Court and has been admitted to bail on his furnishing fresh bail bonds and surety bonds to the satisfaction of the Court.

This position is admitted by learned State counsel, on instructions from HC Bhagwant Singh.

In view of above interim order dated 13.11.2019 is made absolute. The petitioner undertakes to appear before the trial Court regularly.

Petition stands disposed of accordingly.

January 28, 2020
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned **Yes/No**
Whether reportable **Yes/No**