

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-46444-2019

Date of Decision:07.10.2020

Ram Kishan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Parveen Sharma, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail pending trial to the petitioner in FIR No.153 dated 15.04.2019 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Ganaur, District Sonipat.

The present FIR has been registered against the petitioner on the allegation that he was found in possession of 1 kg 100 grams of Charas without any permit or licence and he was arrested on 15.04.2019.

Learned counsel for the petitioner has argued that the alleged recovery is marginal higher than the commercial quantity. He submits that as against total 13 witnesses cited by the prosecution, 06 witnesses have been examined, in this manner, trial is not likely to be concluded in the near

future. He further submits that considering the health condition of the

petitioner as he is suffering from HIV and serious heart problems, interim bail was granted to him by this Court vide order dated 20.01.2020. As on date, petitioner is on interim bail and there is no other case against him. He refers to the affidavit of the Superintendent District Jail, Sonapat as well as the medical status report (Annexure R-1) of the petitioner attached with the affidavit.

Learned State Counsel does not dispute the custody period and the medical condition of the petitioner.

Heard learned counsel for the parties.

Petitioner in the case was arrested on 15.04.2019 and considering the health condition of the petitioner, interim bail was granted to him vide order dated 20.01.2020 passed by this Court. As against total 13 witnesses cited by the prosecution, 06 witnesses have been examined in the case, trial is not likely to be concluded in the near future. Thus, this Court deems it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the interim bail granted to the petitioner vide order dated 20.01.2020 passed by this Court, is hereby made absolute, subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

October 07, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No