

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-16208-2021 (O & M)
Date of Decision: November 03, 2021**

DEVINDER SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Ramneek Singh Baweja, Advocate for
Mr.A.D.S.Sukhija, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.390 dated 06.12.2020, under Sections 21 of the NDPS Act (Section 29 of the NDPS Act added later on) and Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), registered at Police Station Pinjore, District Panchkula.

Learned counsel for the petitioner contends that the alleged recovery of 30 grams of heroin has been effected from the petitioner which is below the threshold of commercial quantity. The petitioner is suffering from various ailments including cysts in his Kidney. He has referred to the medical record of the petitioner from the Government Medical College and Hospital, Sector-32, Chandigarh with affidavit of the Superintendent, Central Jail, Ambala. The petitioner is in custody for almost 11 months. .

Learned State counsel while referring to the affidavit of

Superintendent, Central Jail, Ambala states that the petitioner is being given

proper medical treatment. A copy of the report of the Medical Officer, Central Jail Hospital, Ambala City is annexed as Annexure R-1. He has filed custody certificate which indicates that the petitioner is in custody for 10 months and 23 days. He upon instructions states that the challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when non-commercial quantity was recovered, he is unwell, he is in custody for almost 11 month, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 03, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No