

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-27431-2021 (O & M)
Date of Decision: December, 02, 2021

SALWINDER SINGH @ KINDA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

CRM-30483-2021

Learned counsel for the applicant/petitioner states that he does not press this application.

The application is disposed of as not pressed.

Main Case

The petitioner is seeking regular bail in FIR No.140 dated 29.11.2017, under Sections 22/61/85 of the NDPS Act, registered at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner contends that tramadol tablets of non-commercial quantity and 1500 tablets containing Alprazolam with a total weight of 587 grams were allegedly effected from the petitioner. The petitioner is in custody for over 01 year and 04 months. He is not involved in any other case under the NDPS Act. The petitioner had met with an accident while he was on interim bail and had suffered a complete ligament tear of right knee.

Learned State counsel contends that the petitioner had earlier been declared as proclaimed offender and was re-arrested. He has filed the custody certificate of the petitioner which indicates that the petitioner is in custody for over 01 year, 04 months and 07 days. He has also filed medical status report by way of an

affidavit of Superintendent, Central Jail, Kapurthala wherein report of Medical Officer, Central Jail, Kapurthala has been appended. It is mentioned in the report that MRI of the right knee of the petitioner showed near complete tear ACL; Grade two tear anterior horn of lateral meniscus and Joint effusion. After the MRI report, he was sent to Civil Hospital, Kapurthala for ortho consultation on 13.11.2021. Ortho specialist of Civil Hospital, Kapurthala referred him to the Ortho Department of Government Medical College, Amritsar. On 29.11.2021, he was referred to Government Medical College, Amritsar and he was further referred to PGI, Chandigarh, Department of Orthopaedics for further management. 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 the petitioner is unwell, he is in custody for over 01 year and 04 months, he is not involved in any other case under the NDPS Act, 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.

At the time of release of the petitioner, the SHO of the Police Station Chohla Sahib, District Tarn Taran shall be informed and the petitioner shall furnish his mobile number to him. He shall keep the location of his phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

December, 02, 2021
A.Kaundal

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