

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

205

CRM-M-40154-2020 (O&M)

Date of decision : 28.05.2021.

AMIT THAMAN

... Petitioner

Versus

STATE OF PUNJAB

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Raj Kumar Gupta, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.103 dated 27.08.2020 under Section 22 and 29 of the NDPS Act, registered at Police Station STF, Phase-4 , Mohali, District SAS Nagar.

Learned counsel for the petitioner contends that it is alleged that the petitioner was found in possession of ₹25,000/- along with 710 tablets of Tramadol with a total weight of 289 grams approximately. He, however, contends that the petitioner is unwell and suffering from Grade-II fatty liver with bilateral renal concretions and Grade-I Benign prostate hyperplasia. He also contends that the petitioner is in custody for almost nine months and is not involved in any other case under the NDPS Act.

Learned State counsel, upon instructions from SI Gurcharan Singh, states that although challan has been filed but no prosecution witness has been examined. He has filed an affidavit of Superintendent, Central Jail, Ludhiana in pursuance to the previous order of this Court with regard to the medical condition of the petitioner. It is stated in the medical report which has been

attached with the affidavit that the petitioner is suffering from Grade-II fatty liver with bilateral renal concretions and Grade-I Benign prostate hyperplasia for which he has been prescribed medication. Medical Officer, Central Jail, Ludhiana has also stated in the medical report that the petitioner does not require any active surgical intervention. Learned State counsel also contends that the petitioner was earlier involved in a case under the NDPS Act in which he has been acquitted.

Heard through video conferencing.

In view of the above especially when the petitioner is suffering from various ailments, he is in custody for almost nine months; he is not involved in any other case under the NDPS Act, the 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 instant 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

May 28, 2021
sonia gugnani

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