

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

**\*\*\***

**CRM-M-49884 of 2021**

**Date of decision: 02.12.2021**

Mahavir Goyal

Petitioner

Versus

State of Punjab

Respondent

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Yashpal Thakur, Advocate for the petitioner.  
Mr. Amit Mehta, Senior DAG, Punjab.

**\*\*\*\***

**AVNEESH JHINGAN, J (Oral):**

This is a petition seeking interim regular bail in FIR No. 43 dated 24.4.2021, under Section 22 of the NDPS Act, 1985 registered at Police Station Ghanaur, District Patiala.

The petitioner is in custody since 24.4.2021. Commercial quantity of contraband was recovered from his conscious possession. He had already moved two petitions for regular bail and interim bail. The grounds for seeking interim bail is that the petitioner is HIV positive and his father is seriously ill.

The prayer was declined by Judge, Special Court, Patiala noting the fact that due to history of indulging in drug abuse the petitioner tested HIV positive in October, 2019 i.e. much prior to the registration of the FIR. The ground taken that father of the petitioner was admitted in ICU was rejected, as no evidence was produced. The Special Court gave

directions to the jail authorities to provide requisite medical facilities to the petitioner as per his ailment.

Learned counsel for the State on instructions submits that the petitioner is HIV positive and is being given medical treatment as and when required.

Before this court, there is no change in position. With regard to serious condition of the father of the petitioner, only a certificate is annexed showing that he is suffering from chronic kidney disease and he is under treatment.

No ground is made out for grant of interim bail. The petition is dismissed.

**[AVNEESH JHINGAN]**  
**JUDGE**

**2<sup>nd</sup> December, 2021**  
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|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable         | : | Yes /No |