

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

Sr. No.203

CRM-M-50987 of 2021

Date of Decision: 22.12.2021

Satinder Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. P.S.Sekhon, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in FIR No.186 dated 18.10.2021, registered under Sections 21, 21-C, 18, 18-B, 25 and 29 of NDPS Act, 1985 at P.S. Special Task Force, STF, Mohali, District SAS Nagar, Mohali.

Learned counsel for the petitioner submits that the alleged recovery of 500 grams opium having been effected from the petitioner falls under non-commercial quantity. The petitioner is not involved in any other case and he being a chronic patient of diabetes, on the advice of some *vaid* (quack), started taking opium as medicine to control his sugar and that is how, he came into the contact of his co-accused. He further submits that from day one, he is admitted in jail hospital due to his ill health and is unable to meet his daily needs and even to answer the call of nature.

In compliance with the orders dated 10.12.2021 passed by this Court, reply on behalf of respondent-State along with custody certificate of the petitioner stands filed, which is taken on record.

From the perusal of the medical status report of the petitioner issued by Medical Officer, Central Jail, Ludhiana (Annexure R-1 annexed with the reply filed on behalf of the State), it is clear that presently, the petitioner is admitted in the jail hospital and taking treatment for Hypertension with Diabetes Mellitus apart from other ailments.

The recovery effected from the petitioner is 500 gms opium, which falls under non-commercial category. The petitioner is in custody since 19.10.2021 and admitted in jail hospital on account of various ailments. Therefore, no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

Ordered accordingly.

Petition stands allowed.

**(SANT PARKASH)
JUDGE**

22.12.2021
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No