

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

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**CRM-M No. 48230 of 2019  
Date of decision :13.09.2021**

Tarsem Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

**Present:** Mr. G.S.Sidhu, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

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**HARNARESH SINGH GILL, J.**

Case is taken up for hearing through video conferencing.

Prayer in this petition is for grant of regular bail in case FIR  
No. 0071 dated 06.04.2019 registered under Section 22(C) of NDPS Act,  
1985 at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner states that the petitioner has been falsely implicated in the present case. He further states that though the alleged recovery effected from the petitioner is in commercial quantity but he has been in custody since 06.04.2019. The petitioner was granted interim bail by the co-ordinate Bench of this Court as he was suffering from Pulmonary Tuberculosis (TB) and is HIV Positive. The petitioner is not involved in any other case.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel has not disputed the above said facts that the petitioner is suffering from Pulmonary Tuberculosis (TB) and is HIV Positive. Out of 13 prosecution witnesses, 2 witnesses have already been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.04.2019 though he was released on interim bail for some time. The petitioner is undisputedly suffering from Pulmonary Tuberculosis (TB) and is HIV Positive. The prosecution witnesses are yet to be examined. No other case has been registered against the petitioner. No useful purpose would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to conclude any time soon.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**13.09.2021**

Rajeev (rvs)

**(HARNARESH SINGH GILL)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No