

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-53899-2019 (O&M)
DATE OF DECISION: 27.09.2021

RAMAN KUMAR @ RAVI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Suneet Pal Singh Aulakh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.108 dated 12.09.2018, under Section 22 of the NDPS Act, registered at Police Station Rahon, District SBS Nagar.

Learned counsel for the petitioner contends that the alleged recovery, which has been effected from the petitioner, is 12 injections of Buprenorphine, containing 2 ml each. He further contends that it is debatable as to whether the recovery would constitute commercial quantity. He also contends that the petitioner is in custody for over 3 years and he is suffering from HIV and Hepatitis C with Splenomegaly. He has referred to the medical report from the Medical Officer, Central Jail, Ludhiana dated 25.07.2020 (Annexure P-5).

Learned State counsel, while referring to the affidavit filed by the respondents, contends that the petitioner is also involved in three other cases under the NDPS Act.

The alleged recovery from the petitioner *prima facie* appears to be of commercial quantity. He is stated to be suffering from Hepatitis C with Splenomegaly and he is also HIV+. However, the medical

report was sent in July 2020 and thereafter, there is nothing on record to suggest that the health of the petitioner has deteriorated.

In view of the above especially when the petitioner is involved in several cases under the NDPS Act, I do not deem it appropriate to grant him the concession of regular bail.

The petition stands dismissed.

If, however, the health of the petitioner deteriorates and he is not being provided proper medical treatment, it shall be open to the petitioner to file a petition for regular bail on health grounds.

Pending criminal miscellaneous, if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

27.09.2021

SwarnjitS

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