

**In the High Court of Punjab and Haryana at Chandigarh**

**204**

**CRM-M-9681-2021 (O & M)**

**Date of Decision: May 25, 2022**

**PIARO**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr.Mikhail Kad, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

The petitioner is seeking regular bail in FIR No.49 dated 12.04.2020, under Sections 21, 27-A of the NDPS Act (Section 29 of the NDPS Act added later on), registered at Police Station Special Task Force, District Mohali.

Learned counsel for the petitioner contends that it is alleged that the petitioner along with 03 other accused were sitting and a polythene bag containing 300 grams of heroin and ₹5 lacs in cash was placed near them. He, however, contends the prosecution story is improbable and in case recovery is divided among four accused, it would be less than commercial quantity. The petitioner is in custody for over 02 years and 01 month. He further contends that co-accused Krishna Devi has been granted regular bail by this Court in CRM-17345-2021 on 16.07.2021. The petitioner was also involved in several other cases of poppy husk but those cases pertain to recovery of non-commercial quantity. He further contends that the petitioner is a 50 year old lady and is suffering from various ailments. He has referred to the medical

report submitted by the Medical Officer, New District Jail, Nabha at Annexure R-1. The extract of the report is reproduced hereunder:-

*“This is to inform you regarding patient Pyaro W/o Mithu Singh is in New District Jail, Nabha. She is known case of severe Hypertension, diabetes mellitus-2 and known case of cysts in uterus, causing sudden pain on the pubic region. She has been sent to Civil Hospital, Nabha and was checked by medicine specialist. All the investigations, ECG and ultrasound abdomen was done. Vitals were abnormal, (Blood pressure-210/108 mm hg, Pulse-102 bpm, Respiratory abnormal changes Rate-18bpm, afebrile) ECG (Electrocardiogram) showed, tachycardia, abnormal sinus Rhythm .Ultrasound showed multiple cysts in the uterus for which she was advised Hysterectomy surgical procedure but due to abnormal Blood pressure and diabetes, procedure cannot be performed. She is on medicine (anti-hypertensives, anti-diabetics, pain killers ) prescribed by the specialist. She is under surveillance and proper case is taken.*

*Sd/  
Medical Officer,  
New District Jail, Nabha.”*

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 02 years, 01 month and 09 days. He upon instructions from Sub Inspector Jagdev Singh states that although the charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner, who is a 50 year old lady, is in custody for over 02 years and 01 month, she is suffering from various ailments, co-accused has been granted bail, 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 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 25, 2022**  
**A.Kaundal**

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