

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35103-2020 (O&M)

Date of Decision:- 18.5.2022

Krishan Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jashandeep Singh Sandhu, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Jagpal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.810 dated 3.12.2019, Police Station City, District Sirsa, under Section 22(b) of NDPS Act.
2. Status report/reply by way of affidavit of Sh. Aryan Chaudhary, Deputy Superintendent of Police, Sirsa, has been filed. The same is taken on record.
3. The allegations, in nutshell, are that the petitioner was found in possession of 500 tablets of 'Tramadol' total weighing 328.5 grams which would fall in the category of 'commercial quantity'.

4. During the course of arguments on the previous dates it had been represented that the petitioner is physically handicapped to the extent of 69%. The petitioner also furnished his disability certificate Annexure P-3 which has been got verified by the State, as is mentioned in para No.4 of the reply, filed today.
5. Learned State counsel has informed that the petitioner has been behind bars since the last about 2 years and 5 months and is not involved in any other case. It has also been informed that as on date 1 out of the cited 15 PWs has been examined.
6. Having regard to the fact that the petitioner is physically handicapped to the extent of 69% having a locomotor disability and has been behind bars for a substantial period of 2 years and 5 months and is not involved in any other case, he deserves the concession of bail particularly when the conclusion of trial is likely to consume time as only 1 out of the cited 15 PWs has been examined. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.5.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No