

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

101+208

CRM-M-48647-2021 (O&M)
DATE OF DECISION: 05.05.2022

KRISHAN KUMAR ARORA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

CRM-16421-2022

This application is for placing on record medical record of the petitioner as Annexure A-2.

For the reasons stated in the application, the same is allowed and the medical record of the petitioner which is annexed as Annexure A-2 is taken on record subject to all just exceptions.

MAIN CASE

The petitioner is seeking regular bail in FIR No.108 dated 28.04.2020, under Sections 22, 25, 27, 27-A, 29, 31 & 32 of the NDPS Act, 1985 and Sections 420, 465, 468, 470, 471, 120-B IPC, registered at Police Station Gate Hakima, District Amritsar.

Learned counsel for the petitioner submits that it is alleged that recovery of Tramadol tablets had been effected from the premises of a transport company at Amritsar which were allegedly sent by the Pharmaceutical company wherein son of the petitioner is the director and the petitioner is being implicated only because of this relationship. He is neither the director nor associated with the company in any manner. The son of the petitioner is in custody. The petitioner is 65 years old and is in custody for over 01 year and 06 months. No recovery has been effected from the petitioner. He has also been implicated in other cases wherein no recovery has been effected from him. The wife of the petitioner is suffering from stage 4 cancer.

He has referred to the copies of the medical record in this regard at Annexure A-2.

Custody certificate filed by the learned State counsel is taken on record which indicates that the petitioner is in custody for 1 year, 6 months and 17 days. Learned State counsel, upon instructions from SI Tejinder Singh, contends that the petitioner is involved in several other cases and, therefore, in view of the huge recovery of Tramadol, he is not entitled to the grant of regular bail.

Learned counsel for the petitioner submits that he is involved in other cases on the similar allegations as his son is the Director of the company. No recovery has been effected from the petitioner in any of the cases.

Heard.

In view of the above, especially when the petitioner is 65 years of age, no recovery has been effected from him, his wife is suffering from Stage 4 cancer, the 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 instant 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

05.05.2022

SwarnjitS

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