

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

Crl.Misc.No.M-10252 of 2015(O&M)

Date of Decision : 07.04.2015

Mohd. Arshad @ Shammi

....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. P.S.Sekhon, Advocate for the petitioner

Mr. Deepak Garg, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 34 dated 12.4.2014 registered under Sections 15, 61, 85 of NDPS Act at Police Station, Sadar Sangrur, District Sangrur.

The petitioner alongwith two other persons was found to be in possession of 60 kgs poppy husk. It is contended by the learned counsel for the petitioner that the petitioner is in custody since April, 2014 and his co-accused has been granted the benefit of regular bail by this Court vide its order dated 12.2.2015 passed in CRM no.M-1812 of 2015 . He seeks parity with his co-accused.

Learned counsel for the respondent on the other hand points out that the petitioner is habituated to conflict in law.

After hearing learned counsel for the parties and noticing the fact that the petitioner is in custody since April, 2014 i.e for almost one year and the fact that his co-accused has since been granted the concession of bail, instant petition is accepted. It is directed that the petitioner be released

on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

April 07, 2015
rekha

(Mahesh Grover)
Judge