

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

**CRM-M-13997 of 2015
Date of decision: May 06, 2015**

Jatinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

 Ms. Priyanka Sadar, AAG, Punjab
 for the respondent-State.

JASPAL SINGH, J.(ORAL)

This is a petition preferred under Section 439 Code of Criminal Procedure (for short 'Cr.P.C.') read with Sections 167(2), 482 Cr.P.C. and 36-A(C) of Narcotic Drugs & Psychotropic Substances Act (for short 'NDPS') by Jatinder Singh in case FIR No.370 dated 30.09.2014, under Sections 21, 29 of NDPS Act, registered at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioner inter alia contends that co-accused of the petitioner namely Harmandeep Singh @ Harman and Pardeep Singh @ Deepa have already been granted the concession of bail by Coordinate Bench vide orders dated May 4, 2015 passed in *CRR-1384 of 2015* and in *CRR-1484 of 2015*, respectively and the case of the present petitioner is not on different footing than that of his co-accused. It has further been contended by learned counsel for the petitioner is that the sample was sent to the

Chemical Examiner after about four months of the alleged recovery of the contraband which should have been sent for chemical analysis within 72 hours of recovery as contemplated by Standing Order No.1 of 1988. The extension of the period granted by learned trial Court vide order dated 27th March, 2015 has already been disbelieved by the Coordinate Bench of this Court while deciding the above-referred criminal revisions.

Since co-accused of the petitioner have already been granted the concession of bail under Section 167(2) Cr.P.C., petitioner is also entitled to the same/on the doctrine of parity.

Without expressing any opinion on the merit of the case but considering the aforesaid aspects, petition is allowed and petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Tarn Taran.

May 06, 2015
m. sharma

(JASPAL SINGH)
JUDGE