

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-9067 of 2015
Date of Decision : 1.5.2015

Sukhdev Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. H.S. Dhindsa, Advocate for the petitioner.
Mr. D.S. Virk, AAG, Punjab.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Learned counsel for the petitioner places reliance on an order dated 4.7.2014 passed by this court in Crl.Misc.-M No.21093 of 2014 (Raj Kumar Vs. State of Punjab), to contend that Raj Kumar was co-accused of the petitioner and he has been granted bail pending trial by this court. He further submits that the petitioner is identically placed and is entitled for the bail pending trial.

On the other hand, leaned counsel for the State, on instructions from HC Jaswinder Singh, police Station City, Rup Nagar, submits that as per the custody certificate dated 27.3.2015, petitioner has been found involved in another NDPS matter. He submits that although the case of the petitioner is similar with his co-accused Raj Kumar, but since the present petitioner has been found involved in another FIR, he is not entitled for bail pending trial.

Having heard learned counsel for the parties, after going through the record of the case and giving thoughtful consideration to the rival contentions raised, this court is of the considered opinion that since the co-accused of the petitioner in this very FIR, has been granted the concession of bail pending trial by this court, vide above said order dated 4.7.2014 (Annexure P-2), the petitioner is also entitled for the same concession of bail pending trial.

Learned counsel for the State could not differentiate the case of the petitioner from his co-accused.

In view of the above, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial court, Rup Nagar.

Crl. Misc. petition stands disposed of.

1.5.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE