

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

**CRM-M No.1117 of 2016 (O&M)  
Date of Decision: 22.01.2016**

Raman Sharma

..... Petitioner

*Versus*

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. Amaninder Preet, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab  
for the respondent/State assisted by ASI Sulakhan Singh.

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**JASWANT SINGH, J. (Oral)**

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.323 dated 20.12.2014, under Sections 18/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Phillaur, District Jalandhar.

As per the allegations in the FIR, the petitioner/accused-Raman Sharma along with his co-accused/non-applicant-Gurdeep Singh were apprehended on 20.12.2014 and a recovery of 4 Kg. of *Opium (Morphine)* was found in their conscious possession.

It is contended that a false case has been planted upon the petitioner and he is not involved in any other criminal case.

Learned Counsel for the petitioner further submits in the similar bail application filed by co-accused Gurdeep Singh, this Court vide order dated 16.06.2015 (**Annexure P-9**) had passed the following operative order:-

*“ Counsel for the respondent has informed the Court that out of 10, 3 witnesses have been examined, and states that subject to the cooperation of the petitioner, the prosecution*

*will lead its entire evidence within four months.*

*I find this to be a fair statement.*

*Consequently, this petition is disposed of with a direction that in case the prosecution does not conclude its evidence within four months from today (subject to the petitioner not obstructing the same), the trial Court shall release the petitioner on bail to its satisfaction. ”*

Learned Counsel for the petitioner further submits that since the prosecution evidence was not concluded within stipulated four months, learned trial Court has already granted regular bail to the co-accused Gurdeep Singh.

Similar treatment is sought as learned State Counsel, assisted by ASI Sulakhan Singh, has conceded that the prosecution evidence is yet to be completed.

In view of the above, keeping in view the parity of treatment in the light of order dated 16.06.2015 (**P-9**) passed by this Court, the present petition is also allowed and the petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Jalandhar.

Disposed of.

**January 22, 2016**  
Gagan

**(JASWANT SINGH)**  
**JUDGE**