

109+208.

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

Criminal Misc. No.M-17798 of 2016 (O&M)
Date of decision:08.07.2016

Jagjit Singh

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sukhdeep Singh Sidhu, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

CRM No.19801 of 2016

This is an application to place on record the order passed by this Court in earlier bail application of the petitioner in CRM-M No.13479 of 2015, dated 21.10.2015 i.e. Annexure A-1.

Application is allowed, as prayed for. Annexure A-1 is taken on record.

Criminal Misc. No.M-17798 of 2016

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.09, dated 04.03.2014, under Sections 15, 25 and 29 of NDPS Act, registered at P.S. Bhadaur, District Barnala. In the case, challan has also been presented for offences under Section 201/120-B IPC.

Earlier bail application was dismissed as withdrawn by this

Court vide order dated 21.10.2015 in Criminal Misc.No.M-13479 of 2015-

Jagjit Singh Versus State of Punjab.

Learned counsel for the petitioner contends that after the order dated 21.10.2015 passed in Criminal Misc.No.M-13479 of 2015, the other co-accused have approached this Court by way of various criminal miscellaneous petitions, i.e. CRM No.M-23951 of 2015-Mandeep Singh @ Deepa Versus State of Punjab, decided on 22.04.2016 and CRM-M No.8222 of 2016-Gurjit Singh @ Wakeel Versus State of Punjab, decided on 12.04.2016. He states that the co-accused have been admitted on regular bail and none of the accused were arrested from the spot.

The petitioner is not stated to be involved in any other case under the N.D.P.S. Act. He is facing the incarceration since 14.03.2014.

Learned State counsel on instructions from ASI, Dilbar Singh, does not dispute the fact that after the withdrawal of earlier petition, i.e. Criminal Misc.No.M-13479 of 2015 (supra), the other co-accused have been admitted on regular bail.

In view of the above, without making any observations on merits of the case and keeping in view the length of incarceration already suffered by the petitioner as well as the fact that other co-accused have been admitted on regular bail by this Court, the present petition is allowed and the petitioner is ordered to be enlarged on bail subject to furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate, Barnala.

(HARI PAL VERMA)
JUDGE

08.07.2016
sanjeev