

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M-41316 of 2016
Date of Decision:-30.11.2016

Salamat Khan @ Mian

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.B.S.Toor, Advocate for the petitioner.

Mr.Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the second petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.39, dated 28.02.2016, under Section 15 of the NDPS Act, 1985, registered at Police Station Sahnewal, Distt.Ludhiana.

Learned counsel for the petitioner contends that the petitioner is in custody since 28.02.2016 and co-accused, namely, Gurdeep Singh @ Deepa has already been admitted on regular bail by this Court, vide order dated 10.11.2016 passed in CRM-M-37852 of 2016 titled as **“Gurdeep Singh @ Deepa Vs. State of Punjab.”** He further contends that the allegations against the petitioner are similar to that of co-accused-Gurdeep Singh @ Deepa.

Learned State counsel has filed the custody certificate of the petitioner in Court today which is taken on record. He, on instructions from ASI-Gurbakshish Singh, though does not dispute the aforesaid facts, however, submits that since the petitioner is a resident of U.P., he be asked

to furnish adequate bail bonds/surety bonds.

Heard.

Taking into consideration the fact that the petitioner is in custody since 02.03.2016, coupled with the fact that co-accused-Gurdeep Singh @ Deepa has already been admitted on regular bail by this Court in **Gurdeep Singh @ Deepa's case(supra)**, I deem it appropriate to release the petitioner on regular bail.

Accordingly, present petition is allowed and the petitioner is ordered to be released on regular bail subject to furnishing of his adequate bail bonds/surety bonds to the satisfaction of the learned trial Court.

However, it is made clear that in case the petitioner is found indulged in any other case under NDPS Act, the prosecution will be at liberty to seek cancellation of his bail.

Needless to say that the observations made here-in-above shall not be construed as any expression on the merits of the case.

(HARI PAL VERMA)
JUDGE

30.11. 2016
Anjal

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No