

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

**Crl. Misc. No. M-12368 of 2017 (O&M)
Date of Decision: July 14, 2017**

Resham Singh **.....PETITIONER(s).**

VERSUS

State of Haryana **....RESPONDENT(s).**

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner (s).

Mr. Amrik Narwal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 07 dated 20.01.2015 registered for the offences punishable under Sections 17, 27-A of Narcotic Drugs and Psychotropic Substances Act (for short NDPS) at Police Station Odhan, District Sirsa.

Heard.

Bail applications of co-accused Hardeep Singh and Guddu@Iqbal were dismissed vide order dated 14.09.2016 passed in CRM-27729-2016 and dated 22.10.2016 passed in CRM-M-22674-2016, with directions to conclude the trial up to 14.03.2017. It was ordered that in the event of prosecution failing to conclude the evidence till the date mentioned in the aforesaid orders, they shall be released on bail by the trial Court. The trial Court vide orders dated 14.03.2017 and 27.03.2017

released aforesaid accused on bail.

On the last date i.e. 19.05.2017, it was presented before this Court that 35 out of 36 witnesses have already been examined and only one witness remains to be examined for which next date is fixed for 14.06.2017.

Learned State counsel submits that the last witness of the prosecution could not be examined despite grant of time.

As other two co-accused have already been granted benefits of regular bail applying the principle of parity, the present petition is allowed. Petitioner Resham Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

July 14, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No