

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17668 of 2017
Date of Decision: 17.07.2017

Malkiat Singh @ Malkeet Singh @ MilanPetitioner

VERSUS

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Raman Goklaney, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

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.91 dated 30.06.2016 registered for the offence punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Fazilka, District Fazilka.

Heard.

Learned counsel for petitioner submits that co-accused, namely, Sunil Batra @ Gaurav has been allowed regular bail vide order dated 15.03.2017 passed by a coordinate Bench of this Court in CRM-M-8267-2017. The petitioner is also 19 years of age and is not owner of the vehicle from which recovery was effected. He seeks bail for the petitioner pleading parity with co-accused-Sunil Batra @ Gaurav.

Perusal of order, copy of which has been placed on file as Annexure P-3, shows that in CRM-M-8267-2017, co-accused-Sunil Batra @ Garuav has been allowed regular bail .

Applying the principle of parity with co-accused-Sunil Batra @ Gaurav but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Malkiat Singh @ Malkeet Singh @ Milan is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (c) He shall not leave the country without the previous permission of the Court.

July 17, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No