

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17971 of 2017
Date of Decision: 24.05.2017

Gaurav @ Jatin Rana

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Baljeet Beniwal, Advocate
for the petitioner.

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. 909 dated 25.11.2016 registered for the offence punishable under Section 20 of Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station Sector 55, Faridabad, District Faridabad.

Heard.

Notice of motion.

On asking of the court, Ms. Harpreet Kaur, AAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that recovery of 40 kgs. 200 gms. of ganja was effected from the petitioner and co-accused, namely, Neeraj, Sanjay, Aman and Saurabh. Co-accused Neeraj has been allowed bail vide order dated 10.04.2017 by Additional Sessions Judge, Faridabad. Applying the principle of parity, the petitioner is entitled to bail

for the reasons, the bail was allowed to co-accused-Neeraj.

On perusal of order dated 10.04.2017, I find that learned Additional Sessions Judge, Faridabad has taken into account several factors, which are common to Neeraj as well as petitioner while allowing him bail.

Applying the principle of parity with co-accused-Neeraj 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-Gaurav @ Jatin Rana 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 24, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No