

230

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 19342 of 2017

Date of Decision: 02.06.2017

Kamal Kumar @ Bori

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 18 dated 09.11.2016, under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station S.S.O.C., Amritsar City, District Amritsar.

The F.I.R. was registered against main accused Abhishek Chetal and he was arrested with 500 grams of heroin along with an amount of Rs. 39,73,000/- in cash. In his disclosure statement, he nominated six more persons, namely Gurbhej Singh @ Bheja, Kuldeep Singh, Nasib Singh, Pawan Kumar and Gurbhej Singh son of Gurdeep Singh.

The petitioner was arrested and two riffles were allegedly recovered from him and a separate F.I.R. for the offence under Section 25 of the Arms Act was registered against him.

Learned counsel for the petitioner stated that the petitioner is on bail in offence under the Arms Act.

Co-accused of the petitioner, namely Gurbhej Singh @ Bheja has since been granted the concession of regular bail by this Court, vide order dated 19.05.2017.

Learned counsel for the petitioner seeks parity with that of Gurbhej Singh @ Bheja.

Learned State counsel on instructions from A.S.I. Raj Singh submitted that complicity of the petitioner is at par with that of Gurbhej Singh @ Bheja. The only difference is that the petitioner is also accused for the offence under Section 25 of the Arms Act.

Since the petitioner has already been granted bail in offence under the Arms Act, therefore, at this stage, without embarking upon merits of the case, I deem it appropriate to give parity to the petitioner at par with Gurbhej Singh @ Bheja, who has since been granted bail by this Court, vide order dated 19.05.2017.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the trial Court/ Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

June 02, 2017

Apurva

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No