

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

**Crl. Misc. No.M-25258 of 2017 (O&M)
Date of Decision: August 01, 2017.**

Gurpal Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S. Khiva, Advocate
for the petitioner (s).

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.48 dated 27.04.2017 registered for the offence punishable under Section 21 of Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station City Sunam District Sangrur.

Heard.

Notice of motion.

On asking of the court, Ms. Rajni Gupta, Senior D.A.G., Punjab, 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 as per the allegations of the prosecution 15 gms of smack was recovered from the

petitioner. Similar recovery was also effected from co-accused Kulbir Singh, who has been allowed bail vide order dated 22.06.2017 passed in CRM-M-22190-2017.

Applying the principle of parity but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Gurpal 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- c. He shall not leave the country without the prior permission of the Court.

August 01, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***