

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

CRM-M No.37502 of 2017

Date of Decision : 17.11.2017

Bijje

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Ms. Monisha Lamba, Advocate
for the petitioner.

Mr. Tanuj Sharma, Asstt. Advocate General, Haryana
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail on behalf of the petitioner in case FIR No.458 dated 21st October, 2016, registered under Sections 20/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bhupani, District Faridabad.

It is submitted *inter alia* that accused Jafru was earlier released on bail, but he subsequently absconded and has been declared a Proclaimed Offender. His involvement in the case was identical with that of the present petitioner. As such it is

contended that the petitioner is also entitled to be released on bail on the ground of parity and cannot be penalized for misconduct of the co-accused.

It further transpires that there is no record of the petitioner's involvement in any other case apart from the present one.

Considering the long detention undergone by the present petitioner, namely Bijje, he may be released on an interim bail initially to the satisfaction of the Ld. Trial Court since it is submitted on behalf of the State that the date of trial presently is fixed for 12th of December. The Ld. Trial Court may impose appropriate terms and conditions to ensure that the petitioner is not able to jump bail, and may consider confirmation of the same after observing his regularity in facing trial.

Disposed off.

November 17, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No