

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-43713 of 2016
Date of Decision: 23.01.2017

Sushil @ Sheela

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioner.

Mr. Vikramjit Singh, Addl. AG, Haryana.

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. 291 dated 22.09.2015, registered for the offence punishable under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station City Dabwali, District Sirsa.

Heard.

As per case of prosecution, 20 bottles of Rexcof were recovered from the car in which petitioner and his co-accused Jashandeep Singh were travelling. Rexcof bottles were lying between both of them.

Learned counsel for the petitioner submits that co-accused Jashandeep Singh has already been released on bail vide order dated 15.11.2016 passed in CRM-M-35329 of 2016.

Applying the principle of parity 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-Sushil @ Sheela 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

January 23, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No