

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

CRM-M-2150-2018 (O&M)

Date of decision: December 18, 2018

Gurwinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

CRM-44408-2018

Application is allowed as prayed for.

Annexures P-4 to P-12 are taken on record.

CRM-M-2150-2018

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Gurwinder Singh in case FIR No.85 dated 22.05.2017 registered for the offences punishable under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Lopoke, District Amritsar.

It has been submitted that nothing was recovered from the petitioner. However, main accused Dilbag Singh @ Bagga disclosed the name of the petitioner being supplier of the heroin but it has been argued that the said statement has not been corroborated by any other evidence and the same is not admissible into evidence.

Without going through the admissibility of the said statement, this court is of the view that the petitioner is entitled for bail on the basis of parity as co-accused Dilbag Singh @ Bagga has already been granted bail vide order dated 16.11.2017 passed in CRM-M-33886-2017.

In this view of the matter, this petition is allowed. It is ordered that the petitioner be admitted to bail on submitting bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall also file undertaking before the trial court that he will not indulge in similar or any other kind of offence in future. Petitioner shall deposit his passport, if possesses, with the trial court. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(RAJ SHEKHAR ATTRI)
JUDGE

December 18, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No