

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-36381 of 2018
Date of Decision: 12.09.2018

Sonu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Karanbir Snigh, AAG, Punjab.

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.75 dated 05.05.2018 registered for offences punishable under Sections 21/22/29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station C-Division, Amritsar, District Amritsar.

Heard.

Learned counsel for petitioner submits that recovery in this case was effected from Gagandeep Singh, driver of the car. Petitioner alongwith co-accused, namely, Surinder Singh and Simranpreet Singh @ Simranjit Singh @ Prince was passenger in the car. Both Surinder Singh and Simranpreet Singh @ Simranjit Singh @ Prince have been allowed regular bail vide orders dated 20.07.2018 and 14.08.2018 passed in CRM-M-28414-2018 and CRM-M-33881-2018, respectively, copies of which have been placed on file as Annexures P-3 and P-4. He seeks bail for the petitioner on the ground of parity.

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-Sonu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 12, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No