

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

**CRM-M-5129-2018
Decided on: 21.03.2018**

Sunil @ Teet

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr. Randhir Singh Redhu, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J (ORAL)

This petition for regular bail has been filed by petitioner-Sunil @ Teet, an accused in F.I.R. No. 1043 dated 24.11.2017 under Section 20 of the NDPS Act, 1985 registered with Police Station Jhajjar.

Briefly stated the facts of the case as per prosecution are that F.I.R. in this case was registered against the petitioner-Sunil @ Teet on the allegations that on 24.11.2017, in the area of kosli turn, Jhajjar when apprehended by the police party, while going on a motorcycle being driven by petitioner-Sunil @ Teet on which his co-accused Mohit was overriding, a gunny bag being carried by the petitioner and his co-accused was found to be having 18 kg of ganja.

After completion of investigation and other formalities, both of them were challenged. Now, they are facing trial in the Court of Judge, Special Court at Jhajjar and application for regular bail was filed on behalf of the petitioner, which was dismissed by Additional Sessions Judge, Jhajjar vide order dated 20.12.2017, as such, petitioner has approached this Court seeking regular bail, which is being opposed by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

The contraband said to have been recovered from possession of the petitioner and his co-accused admittedly amounts to non-commercial quantity.

As per the custody certificate placed on file by the learned State counsel, the petitioner is in custody for 3 months and 24 days in this case. He is not shown to be involved in any other criminal case.

Trial is stated to be at initial stage and its disposal is likely to take some time. Even on the principle of parity, the petitioner deserves to be granted bail. Therefore, in view of the aforesaid circumstances, this petition is accepted. The Petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Jhajjar, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

21.03.2018

Dinesh

Whether speaking/reasoned
Whether Reportable

(H.S. MADAAN)
JUDGE

Yes/No
Yes/No