

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.51519-2018 (O&M)

Date of decision : 29.11.2018

Varun Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr.Rajesh Bhateja, Advocate for the petitioner
Mr.Karanbir Singh, AAG Punjab

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (Oral)

Heard.

It is alleged that three persons were nabbed by the police. All three were carrying one bag each on their shoulder, which contains 8 kg Ganja in each bag. Recovery of more than 20 kg is commercial quantity.

Learned State counsel has opposed the bail application on the ground that total quantity is to be seen and each accused is deemed to be in conscious possession of quantity in the possession of the co-accused.

In this case, in case of co-accused, Ajay Kumar and Deepu Kumar, this Court in CRM-M-33092-2018, vide order dated 8.8.2018 granted bail to them on the ground that prima-facie, the Ganja, in their exclusive possession is to be seen at this stage.

Therefore, on the ground of parity, the same benefit is to be

extended to the present petitioner. Hence, the application is allowed. Petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of learned trial Court, subject to the following conditions:-

- (i) He shall make himself available for interrogation by a police officer as and when required,
- (ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer, and
- (iii) Petitioner shall surrender his passport before the trial Court, if any and shall not leave India without the prior permission of the Court.

29.11.2018
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No