

211-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.9752 of 2018

Date of Decision: 05.04.2018

NARESH KUMAR @ HUSSNA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Kartik Gupta, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.193 dated 23.12.2015, registered under Sections 21, 61 and 85 of the NDPS Act at Police Station Garshankar, District Hoshiarpur.

FIR was registered against the petitioner and co-accused Amrit Lal @ Babbal. Petitioner allegedly fled away from the spot and his particulars came to be disclosed by the co-accused Amrit Lal @ Babbal, who was granted bail by the trial Court. However, due to his absence on 07.02.2018, his bail was cancelled and bail bonds/surety bonds were forfeited to the State.

In CRM-M No.7353 of 2018 filed by the co-accused

Amrit Lal @ Babbal, interim bail granted to him by this Court has been confirmed vide order of even date i.e. 05.04.2018.

Petitioner remained away from the jurisdiction of the Court and was declared to be a proclaimed offender. Thereafter he surrendered before the trial Court on 02.01.2018 and now prays for the grant of regular bail on parity with co-accused Amrit Lal @ Babbal.

The statement of above said facts has not been denied by the learned State counsel on instructions from ASI Mohinder Singh.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 02.01.2018.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 05, 2018

Atik

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(RAJ MOHAN SINGH)
JUDGE