

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

Date of decision : 27.05.2019

1. CRM-M No.38300 of 2018 (O&M)

Swaran Singh

..... Petitioner

versus

State of Punjab

..... Respondent

2. CRM-M No.7186 of 2019 (O&M)

Gurdev Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. H.S.Batth, Advocate and
Ms. Riffi Birla, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

AJAY TEWARI, J. (Oral)

CRM-M-14942-2019 in CRM-M-38300-2018

This application has been filed for adding offences under
Section 25 of NDPS Act, 1985 and Sections 66-D/66-F IT Act, 2000 in the
headnote of the petition and in the prayer clause of the main petition.

For the reasons recorded, the application is allowed. It is directed that the abovesaid Sections be added at the appropriate places.

Main cases

This order shall dispose of above mentioned two petitions.

CRM-M-38300-2018 has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.204 dated 28.07.2017 registered under Section 21 of NDPS Act, 1985 at Police Station Sadar Ferozepur, District Ferozepur.

And **CRM-M-7186-2019** has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.204 dated 28.07.2017 registered under Section 21 of NDPS Act, 1985 (Section 66-D & 66-F of IT Act, 2000 added subsequently) at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioner/s state that similarly situated co-accused **Jagdish Singh @ Deesha** was granted regular bail by order dated 07.12.2018 passed in **CRM-M-20832-2018** after 1 year and 6 months and the present petitioners are in custody for 01 year and 09 months.

Custody certificates dated 04.05.2019 filed by way of affidavit of respective Deputy Superintendent, Central Jail on behalf of State have been filed and the same are taken on record. Copies supplied to counsel opposite.

As per the custody certificates both the petitioners have been in custody for 01 year and 09 months.

Learned State counsel on instructions from Investigating

Officer points out that in the case of the co-accused, no witness had been

examined but in the present case, three witnesses have been examined. He however accepts that 13 more witnesses have to be examined.

In the circumstances, I see no reason to take a different view for the petitioners and consequently, grant them the concession of regular bail in the same terms as in the above mentioned case.

Petitions stand allowed.

Since the main cases have been decided, the pending criminal miscellaneous applications, if any, also stand disposed of.

27.05.2019
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No