

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

211

**CRM-M No. 49901 of 2018
Date of Decision: 29.1.2019**

Sham Singh**.....Petitioner****v.****State of Punjab****.....Respondent****CORAM HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present:- Mr. B.S. Aulakh, Advocate, for the petitioner

Mr. Harpreet Multani, AAG, Punjab

RAMENDRA JAIN, J.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No. 170 dated 19.7.2017 under Sections 15/61 of the Narcotics, Drugs and Psychotropic Substances Act, 1985 (for short the "NDPS Act") and Sections 467, 473 IPC (added lateron), registered at Police Station Lambi, District Muktsar Sahib.

According to the prosecution, petitioner was apprehended with 90 Kg. poppy husk carrying in a car, along with his accomplice being driven by co-accused Tushar with fake registration number.

Learned counsel for the petitioner contends that co-accused Tushar being a juvenile and another co-accused Raghbir Singh have already been granted bail. Therefore, treating the case of the petitioner on same parity with that of Raghbir Singh's case, he may also be granted bail. The petitioner is in custody since 19.7.2017. Conclusion of trial may take a sufficient long time.

No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, treating the petitioner on same parity as of his co-accused, the petition is allowed. Consequently, the petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(RAMENDRA JAIN)
JUDGE

29.1.2019
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No