

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27580-2019

Date of decision: 08.07.2019

Sunil Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tarun Sharma, Advocate for
Mr. P.S. Jammu, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.440 dated 15.05.2018 under Sections 21, 22, 27-A, 29 of NDPS Act, registered at Police Station City Sirsa, District Sirsa.

Learned counsel for the petitioner relies upon the order dated 05.07.2019 passed in CRM-M-25708-2019, vide which regular bail was granted to co-accused Bablu, considering the fact that other accused namely Sandeep (juvenile), Gurnam, Trilok Singh, Sukhbir and Pawan Kumar have already been granted the concession of regular bail. It is further submitted that as per allegations in the FIR, the police party, during the search of bad elements, found six persons standing nearby a motorcycle, which was parked near Kali Mata Mandir and on the seat of it, a plastic bag was lying. When these persons,

on seeing the police party, ran away, they were apprehended and four persons namely Shami @ Sukhbir, Amit, Pawan and Sandeep were initially named in the FIR.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody for the last about 11 months and 07 days, as per the custody certificate and is not involved in any other case. It is further submitted that the case is now fixed for recording the prosecution evidence.

Learned State counsel, on instructions from ASI Hanuman Singh, has not disputed the factual position, however, submits that the petitioner is registered owner of the motorcycle.

Without commenting anything on merits of the case, considering the allegations in the FIR and the fact that all co-accused of the petitioner have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.07.2019

vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No