

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

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CRM-M-35461-2019 (O & M)
Date of Decision:05.09.2019

Simratpal Singh @ Sammi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

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

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.43 dated 08.04.2018, under Section 22 of the NDPS Act, 1985, registered at Police Station Longowal, District Sangrur.

As per FIR, on 08.4.2018 when the police party in connection with patrolling and checking of suspicious persons, was present on the side of pavement of minor canal in the revenue limits of village Kunran on the link road going from village Kunran to Longowal, then on seeing the police party, the said persons in fear tried to turn back motorcycle bearing

registration No.PB-13U-5357 which was seen coming from the side of village Duggan with two persons occupying the same but they were apprehended by the police. On search, 15 injections mark BUPRENORPHINE INJECTIONS I.P. OMGESIC were recovered from the petitioner from right side pocket of the kurta, which he was wearing and other 15 injections mark BUPRENORPHINE INJECTIONS I.P. OMGESIC were recovered from the co-accused of the petitioner from the right pocket of his trouser.

Learned counsel for the petitioner contends that the same quantity i.e. 15 injections were recovered from the co-accused of the petitioner, who has already been granted the concession of bail vide order dated 25.07.2019 in CRM-M-30466-2019.

On the other hand, learned State counsel has opposed the bail application. However, it is not disputed that co-accused, who is similiary situated, has been granted bail by this Court.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

05.09.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No