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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1716/2019**

TEJINDER SINGH

..... Petitioner

Through: Mr. Ajay Garg and Mr. Mani
Shanker, Advs.

versus

STATE

..... Respondent

Through: Mr. Hirein Sharma, APP for State
with ASI Charan Singh Narcotics
Squad West, PS – Vikas Puri

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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27.09.2019

CRL.M.A. 37180/2019 (seeking early hearing of the bail application)

Notice.

Learned APP accepts notice on behalf of the State and submits that he has no objection if the present application is allowed.

Accordingly, the present application is allowed.

The next date fixed i.e. 04.11.2019 is cancelled.

BAIL APPLN. 1716/2019

Vide the present bail application, the petitioner/ applicant/ accused prays for the grant of bail in FIR No. 348/2018 registered at Police Station – Vikas Puri for the offences punishable under Sections 21/61/85 of the NDPS Act.

The case of the accused is that the co-accused, namely, Ifeanyi Okoronkwo, from whom heroin weighing 200 gm was recovered has already been admitted on bail by the learned Trial Court on 07.03.2019. However, only 110 gm of heroin has been recovered from the applicant. Moreover, the ACP has stated in statement u/s. 161 Cr. P.C. that the recovery is made only of 90 gm, whereas, the case of the Prosecution is that the recovery from the applicant is of 110 gm.

The learned APP has opposed the present application and submits that two more cases are pending against the applicant, which are as follows:

- (i) Case FIR No. 152/2017, under Sections 21/29 NDPS Act, PS – Barara, Ambala Haryana
- (ii) FIR No. 36/2016, under Sections 341/323/325/506/427/34 IPC, PS – Kala Amb, District Sirmour, Himachal Pradesh

It is not in dispute that in the case (i) referred above which is under NDPS Act, nothing has been recovered from the applicant.

Without commenting upon the merits and demerits of the case, on parity, let the applicant be released on bail on furnishing personal bond in the sum of ₹25,000/- with two sureties of the like amount to the satisfaction of the Trial Court.

The application is allowed and disposed of.

Order *dasti* under the signatures of Court Master.

Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for compliance.

SURESH KUMAR KAIT, J

SEPTEMBER 27, 2019/*PB*