

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

1)

CRM-M-7882-2020**Date of decision: 26.10.2020**

Deepak Singh

.....Petitioner

versus

State of Haryana

.....Respondent

2)

CRM-M-46571-2019

Jagdish

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. P.S. Ahluwalia, Advocate
for the petitioner (in CRM-M-7882-2020).Mr. Vikas Bishnoi Godara, Advocate
for the petitioner (in CRM-M-46571-2019).Mr. B.S. Virk, DAG, Haryana
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case
is being taken up for hearing through video conferencing.

The above detailed applications for regular bail under
Section 439 Cr.P.C. having arisen in the same very case and got

registered by way of FIR No.275 dated 25.08.2019 under Section 22 of the NDPS Act registered at Police Station Civil Line Sirsa, District Sirsa, are being taken up and disposed off together through this common order for the sake of brevity.

The brief allegations against the petitioners are on the basis of secret information that the co-accused-Jaipal is indulging in illegal sale of intoxicating tablets and was about to come at Maharana Partap Chowk, Sirsa in his car bearing No. HR-20M-1008 and if raid is conducted, could be apprehended. On the basis of this information, the police raided the spot and on inquiry, the driver of the car disclosed his name as Deepak, and two persons were present on the back seat of the car, named, Jagdish and Jaipal and a bag from the back seat of the car was got recovered containing 7600 of intoxicating tablets.

Learned counsel for the petitioners *inter alia* contends that it is merely on the basis of secret information, the FIR has been registered and the petitioners have been falsely implicated in the present case. Counsel further submits that the petitioners are in custody since 25.08.2019 and has placed reliance on CRM-M-16336-2020 (O&M) decided on 29.07.2020 titled as **'Sanjay Kumar versus State of Punjab'**, CRM-M-15530-2020 (O&M) decided on 24.07.2020 titled as **'Sagar Arora versus State of Punjab'**, CRM-M-19285-2020 decided on 06.08.2020 titled as **'Taranjit Singh @ Tarni versus State of Punjab'**, CRM-M-46318-2019 decided on

17.12.2019 titled as 'Jagsir Singh @ Seera versus State of Punjab' and CRM-M-16824-2020 decided on 30.06.2020 titled as 'Raj Kumar versus Narcotic Control Bureau, Chandigarh', to seek parity.

The learned State counsel has strongly opposed the bail on the grounds of seriousness of the allegations and stated that commercial quantity of contraband has been recovered from the accused.

Heard.

Be so as it may, the recovery already stands effected. The FIR is based on secret information, thus, culpability, conscious possession of which accused if any, would be determined at the time of trial. Since, the petitioners are behind the bars for more than one year and in view of present COVID-19 pandemic and the efforts of the authorities in decongesting the jail which are busting the seams and the ratios cited for parity this Court deems it fit to allow the regular bail to the present petitioners.

Accordingly, the petitioners are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate.

The petitions stand disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

26.10.2020

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No