

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

(I) CRM-M-16369-2020 (O&M)
Date of Decision:-15.7.2020

Rahul Kumar ... Petitioner

Versus

State of Punjab ... Respondent

(II) CRM-M-16750-2020 (O&M)

Nitish Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vipin Mahajan, Advocate,
for the petitioner in CRM-M-16369-2020.

Mr. Amandeep Singh Manaise, Advocate,
for the petitioner in CRM-M-16750-2020.

Mr. Harbir Sandhu, AAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.40 dated 1.5.2020 at Police Station Ghanie-Ke-Banger, District Gurdaspur, Punjab under Sections 22/25/29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. At the very outset, the learned counsel for the petitioners has submitted that since report of FSL is still awaited and one of their co-accused namely Sandeep Kumar has been ordered to be released on interim regular bail vide order dated 16.6.2020, the petitioners deserve the same concession on grounds of parity.
3. The aforestated position to the effect that report of FSL has not been received and also that the co-accused has since been granted interim regular bail is not disputed by learned State counsel. As such, in order to maintain parity, both these petitions are disposed of by directing that the petitioners be released on interim bail till receipt of report of FSL subject to their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
4. As and when the report of FSL is received, the petitioners shall surrender before the Trial Court.
5. Needless to mention, upon their surrender it shall be open to the petitioners to move to the Trial Court again for grant of regular bail in case the report of FSL indicates that recovered article is a contraband.

15.7.2020

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No