

**(Proceedings conducted through video conferencing on account of
Covid-19 Pandemic)**

**CRM-M-17175-2020
Date of Decision: 30.09.2020**

**BALDEV SINGH @ DEBI ... PETITIONER
VS.
STATE OF HARYANA .. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

Through present petition, the petitioner is seeking regular bail in case FIR No. 129 dated 11.04.2017 under Sections 18 and 27 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Bhuna, District Fatehabad.

The case has been registered in pursuance of recovery of 04 kg. of opium from the cabin of the truck bearing registration No.PB11BU-9733. Jaspreet Singh (co-accused) was driving the truck, whereas, Vicky Singh (co-accused) and the petitioner were also sitting in the vehicle.

It has been contended by learned counsel for the petitioner that Jaspreet Singh @ Jassi is the driver and owner of the vehicle in which contraband was being carried. Moreover, Jaspreet Singh @ Jassi and Vicky Singh have been granted bail by a Coordinate Bench of this Court. Although, it has been observed in the said bail order(s) that the contraband was in physical possession of the petitioner, but infact, the same has been

recovered from the cabin of the truck and it was not individually being carried by any of the occupants of the vehicle. Counsel further submits that the arrest of the petitioner was effected on 11.04.2017 and out of 11 witnesses, 07 witnesses have already been examined and conclusion of trial is likely to take some time. The trial of the case is getting delayed due to restricted hearing on account of Covid-19 Pandemic.

Learned State counsel, on instructions from SI Kashmir Singh, has not assailed the factual aspect(s) of the matter and has also admitted that Jaspreet Singh @ Jassi (co-accused) is the owner of the vehicle in which contraband was being carried.

In the instant case, the case of the petitioner is also at par with that of co-accused, namely, Jaspreet Singh @ Jassi and Vicky Singh, who have already been granted bail by a Coordinate Bench of this Court. The petitioner is in custody for the last more than 03 years and 05 months and the conclusion of trial is likely to take some time.

Keeping in view the entire circumstances of the case, the ends of justice will meet if the petitioner is also granted bail especially on the principle of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate/trial Court.

30.09.2020
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No