

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16909-2019 (O&M)
Date of decision: 18.02.2020

Sonu Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.8
(*inadvertently mentioned as FIR No.6 in the head note and prayer clause*) dated
07.01.2019 under Section 22 of NDPS Act, registered at Police Station City Sri
Muktsar Sahib.

Learned counsel for the petitioner relies upon the order dated
05.02.2020 passed in CRM-M-30252-2019, vide which co-accused Nand Lal
has been granted the concession of regular bail. The operative part of the said
order reads as under: -

*“...Learned State counsel, on instructions from DSP Heena Gupta
as well as Investigating Officer/ASI Gurtej Singh, could not
dispute that second Investigating Officer/ASI Pritam Singh was
called at the spot at a stage, when the first Investigating Officer/SI*

Davinder Kumar, who is complainant of the case, has already effected the recovery from the petitioner-accused and the ruqa was sent to the police station thereafter and subsequent investigation conducted by second Investigating Officer/ASI Pritam Singh was only with regard to recording of the proceedings subsequent to effecting the recovery....”

Learned counsel for the petitioner submits that case of the petitioner is on similar footings and the petitioner is not involved in any other case.

Learned State counsel, on instructions from ASI Gurtej Singh, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that co-accused Nand Lal, whose case is on similar footings, has already been granted the concession of regular bail vide order dated 05.02.2020 and the petitioner is not involved in any other case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

18.02.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No