

CRM-M-21382 of 2020

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

CRM-M-21382 of 2020
Date of Decision: 13.08.2020

Sarabjit Singh @ Baljit Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Tarun Sharma, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video-conferencing due to Covid-19 pandemic.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Sarabjit Singh @ Baljit Singh – in case arising from FIR No.0175 dated 25.05.2020 registered under Section 52-A, 22 of the Prisons Act, 1894 and Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Ferozepur, District Ferozepur.

According to the prosecution, petitioner as a private security guard, while guarding jail from outside threw three mobile phones and 36 intoxicant tablets, which were recovered from a barrack during checking. On interrogation of undertrials in jail, they disclosed that petitioner in conspiracy with son of an undertrial threw the above objectionable articles

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inside the jail through high security wall of the jail.

Learned counsel inter alia contends that petitioner has falsely been implicated in the instant case, on account of statement of co-accused- Gopal Chand. Petitioner is in custody since, 25.05.2020. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in custody. Co-accused of the petitioner, namely, Rajinder Singh has already been granted regular bail by this Court vide order dated 22.07.2020 passed in CRM-M-15787 of 2020. Therefore, treating the case of the petitioner on the same parity as that of his co-accused, he may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner – Sarabjit Singh @ Baljit Singh, is ordered to be released on bail pending trial on the same parity as that of his aforesaid co-accused, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

August 13, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No