

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

204

**CRM-M-28679-2020
Decided on : 24.09.2020**

Vikas @ Bholu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. D.S. Gandhi, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawal, J. (Oral)

The petitioner seeks regular bail in a petition filed under Section 439 Cr.P.C. in FIR No. 2 dated 01.01.2020 under Sections 21, 29 of NDPS Act, 1985 and Sections 25, 54, and 59 of Arms Act, 1959 registered at Police Station Jhabal, District Tarn Taran (Annexure P-1).

Counsel for the petitioner places reliance upon the bail granted to the co-accused Sarabjit Singh @ Sabby and Sagar in CRM-M-12202-2020 and CRM-M-12936-2020 on 02.09.2020 (Annexure P-3).

The recovery from the petitioner was of 55 gms of heroin. The Additional Sessions Judge, Tarn Taran has declined the bail on the ground that the recovery was also made from the other persons travelling in the Innova i.e. 722 gms in total.

The co-accused as such were granted the benefit of bail on account of the fact that 50 gms of heroin was recovered from Sarabjit Singh @ Sabby and 100 gms from Sagar.

It is submitted that the petitioner is also similarly situated having undergone 8 months and 19 days as per the custody certificate dated 24.09.2020, since he also does not have any other case of similar nature against him.

Accordingly, for the reasons given in the above said order dated 02.09.2020 (Annexure P-3), the present petition is also allowed and the petitioner is directed to be released on bail to the satisfaction of Duty Magistrate/Illaqa Magistrate, Tarn Taran.

September 24, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No