

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

Sr. No.221

**CRM-M-32406-2020 (O&M)  
DATE OF DECISION: 16.10.2020**

**BALWINDER SINGH @ BINDER**

**..PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**..RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Abhimanyu Kalsy, Advocate, for the petitioner.

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**SUDHIR MITTAL, J. (ORAL)**

The petitioner seeks grant of regular bail in case FIR No. 253 dated 14.11.2019 registered at Police Station Sadar Jagraon, District Ludhiana, under Sections 22 & 25 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 10 months. The trial is not likely to be concluded at an early date as even charges have not been framed as yet. There is no other criminal case pending against the petitioner. Co-accused namely Lakhvir singh similarly situated as the petitioner has been granted regular bail vide order dated 22.09.2020 passed in CRM-M-13201-2020.

Custody certificate dated 16.10.2020 has been produced in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 10 months and 25 days and there is no other criminal case pending against him.

**CRM-M-32406-2020 (O&M)**

Learned State counsel concedes that charges have not yet been framed and that co-accused Lakhvir Singh-petitioner in CRM-M-13201-2020 has been attributed a similar role as the petitioner.

Recovery in this case is of commercial quantity of contraband. Thus, the fact that there is no other criminal case pending against the petitioner helps me in concluding that he may not indulge in an offence under the NDPS Act, 1985 in case he is granted regular bail. The issue whether the petitioner is likely to be acquitted has not been addressed by learned counsel for the petitioner, but it is an admitted case that similarly situated co-accused namely Lakhvir Singh has been granted regular bail. Thus, on the principle of parity, the petitioner also deserves to be granted regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

**16.10.2020**

*Ankur*

**(SUDHIR MITTAL)  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No