

CRM-M-36025 of 2020**Date of Decision: 11.11.2020****Ramesh Kumar****.....Petitioner****Vs.****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH****Present: Mr. Sant Lal Barwala, Advocate,
for the petitioner.****Mr. B.S. Virk, D.A.G., Haryana.*************AMOL RATTAN SINGH, J. (ORAL)**

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. seeking 'regular bail' for the petitioner in case FIR no. 163 dated 09.06.2020, registered at Police Station Hansi Sadar, District Hisar, for the alleged commission of offences punishable under Sections 20/29 of the NDPS Act, 1985.

Learned counsel for the petitioner points to the order passed in a case of his co-accused Sandeep @ Dhollu, upon him having filed CRM-M-32227-2020, he having been admitted to bail on 16.10.2020.

He submits that the petitioner is identically placed as the aforesaid person, he also not having been apprehended at the spot, with him however having been implicated in the matter on a disclosure statement allegedly made by one of the two persons apprehended at the spot.

Learned State counsel, on the other hand, submits that in fact the very same Bench as had admitted Sandeep @ Dhollu to bail had dismissed the petition of another co-accused, Sachin, 04 days earlier.

However, he could not deny that Sachin was the person who was apprehended at the spot whereas the petitioner and Sandeep @ Dhollu are similarly placed.

The petitioner is also stated to have been in custody since June 2020, as was in the case of the aforesaid Sandeep @ Dhollu.

That being so and there being no other criminal case registered against the petitioner as per instructions of learned State counsel, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

November 11, 2020

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Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes

No.