

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

**CRM-M No.37525 of 2020
Date of Decision : 24.11.2020**

Sarabjit Singh @ Billa

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Vipul Jindal, Advocate
for the Petitioner.

Mr. B.S. Sewak, Addl. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.17, dated 1st July, 2018, registered under Sections 21, 25, 29 of the NDPS Act, 1985 and Section 25 of the Arms Act, 1959, at Police Station State Special Operation Cell Amritsar.

2. Custody Certificate of the Petitioner sent up by E-mail on behalf of the State, today; Be kept on record. It transpires on its perusal that the Petitioner has remained in detention in the present case for 2 years, 3 months and 15 days till now.

3. Co-accused namely Gurlal Singh has been granted Regular Bail by a Co-ordinate Bench of this Court vide its detailed order passed in CRM-M No.47962 of 2019, on 9th October, 2020 (Annexure P-3).

4. Ld. State Counsel, who had taken time on the last date to apprise this Court '*how the Petitioner stands on a different footing from the said co-accused*', in all fairness submits that the present Petitioner stands on an identical footing with co-accused Gurlal Singh, inasmuch as recovery of the contraband from both of them at the same time was of identical quantity and the present Petitioner also has no record of his involvement in any other case under the NDPS Act.

5. In view of the aforesaid circumstances and considering the long detention undergone by the Petitioner and also keeping in view the fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, he is also ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned, on the same terms and conditions as were imposed in respect of co-accused Gurlal Singh.

6. Disposed off.

November 24, 2020
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No