

CRM-M-39760-2019

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

CRM-M-39760-2019

Date of Decision: 30.01.2020

Harjinder Singh @ Judge

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jasvir Singh Dhaliwal, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.283 dated 20.12.2018, registered at Police Station Sangat, District Bathinda, under Sections 22 and 25 NDPS Act, 1985.

Learned counsel for the petitioner contends that as per the allegations, the petitioner was a pillion rider, whereas co-accused, Kuldeep Singh @ Jagga was driving the motor-cycle, when they had been intercepted by the police. The intoxicant tablets containing Tramadol with a total weight of 406 grams had been allegedly recovered from the co-accused. He further contends that co-accused, Kuldeep Singh @ Jagga has already been granted bail vide order dated 19.12.2019 passed by a Coordinate Bench of this Court in CRM-M-18119-2019 and, therefore, he prays that the petitioner is entitled to bail on the ground of parity also.

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On the other hand, learned State counsel, on instructions from SI Baltej Singh, opposes the prayer made in the present petition. The learned State counsel submits that out of 13 prosecution witnesses, 03 witnesses have been examined and 03 witnesses have been given up and the case before the trial Court is fixed for 14.02.2020.

I have heard learned counsel for the petitioner and the learned State counsel.

The petitioner has been in custody since 20.12.2018. The trial of the case would take time to conclude. Moreover, co-accused, Kuldeep Singh @ Jagga, has already been granted bail vide order dated 19.12.2019 passed by a Coordinate Bench of this Court in CRM-M-18119-2019. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

30.01.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No