

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4936-2021
Date of decision: 27.10.2021

Jagseer Singh @ Jaggi

.... Petitioner

V/s

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.B.S. Mann, Advocate, for the petitioner.

Mr. Sandeep Kumar DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.144 dated 06.10.2020 registered under Section 15-C of NDPS Act (Section 29 of NDPS Act added later on) at Police Station Khuian Sarwar, District Fazilka.

Learned counsel for the petitioner states that the petitioner being a Cleaner of the trolly from which the recovery of 100 Kgs. of *Poppy Husk* was effected, has nothing to do with the alleged recovery and has been in custody since 06.10.2020. It is further submitted that co-accused, namely, Ranjeet Singh alias Rana has already been granted regular bail by this court vide order dated 29.09.2021 and prays for grant of such relief to the petitioner on the ground of parity. He further states that Malkeet Singh alias Lala, who was subsequently arraigned as co-accused, has also been granted anticipatory bail by this court vide order dated 19.03.2021.

Learned counsel for the State while opposing the prayer of the petitioner for grant of bail, states that a heavy recovery of 100 Kgs. of *Poppy*

Husk was effected in the present case and the petitioner does not deserve concession of regular bail. He, however, does not dispute the fact that the co-accused of the petitioner have already been granted bail by this court. He further submits that the charges have already been framed, but the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner was a Cleaner of the trolly from which the alleged recovery was effected. He has been in custody since 06.10.2020. The co-accused of the petitioner, have already been granted bail by this Court. The prosecution witnesses are yet to be examined. The trial is unlikely to conclude any time soon. 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.

(HARNARESH SINGH GILL)
JUDGE

October 27, 2021
sukhpreet

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