

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

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**CRM-M-5096-2021 (O&M)
Date of Decision: 20.08.2021**

SURENDER ALIAS PAPPU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G. Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Prayer in the present petition is for grant of regular bail to the petitioner in case bearing FIR No.232 dated 06.07.2018, registered under Sections 15, 20 and 29 of the NDPS Act, 1985, at Police Station Matlauda, Panipat, Haryana.

Reply by way of an affidavit dated 20.04.2021 of the Deputy Superintendent of Police, Madlauda, Panipat, filed on behalf of the respondent-State in the Registry, is taken on record.

Learned counsel for the petitioner contends that recovery of 72 Kg of Ganja and 4.500 kg of poppy-husk had allegedly been effected from the dickey of a car being driven by Sanjay and occupied by the petitioner and one Ram Mehar @ Mehar Singh. It is further contended that as co-accused, namely, Ram Mehar @ Mehar Singh and Sanjay, stand enlarged on bail, vide orders dated 03.12.2020 and 17.12.2020 passed by this Court in CRM-M-54516-2019

and CRM-M-41811-2020, respectively, the petitioner may also be granted such concession on the ground of parity. The petitioner has been in custody since 06.07.2018.

On the other hand, while opposing the prayer for grant of bail to the petitioner, learned State counsel submits that during the preliminary investigation conducted by ASI Dharmbir Singh CIA-2, Panipat, the rough site plan was prepared on 06.07.2018 and the petitioner along with co-accused Ram Mehar @ Mehar Singh and Sanjay, were arrested at the spot itself.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.07.2018. Moreover, as noticed above, the co-accused of the petitioner have already been granted the concession of bail. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case 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.

20.08.2021

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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