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

CRM-M No. 17623 of 2020
Date of Decision: 22.01.2021

Sukhdeep Singh @ Seepa

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.154 dated 25.09.2019 under Section 22 of NDPS Act registered at Police Station Nihal Singh Wala, District Moga.

FIR was registered on the basis of secret information. Petitioner was one of those two cut surd persons who were carrying two different black colour plastic bags in their hands.

Petitioner was arrested by the police party on receiving the secret information.

Co-accused Vinay Kumar filed CRM-M No.20535 of 2020 which was allowed by this Court vide order dated 12.10.2020 after noticing prima-facie facts that the offer was partial offer and Section 50 of NDPS Act was not complied with.

Reference was placed upon **Rakesh Kumar vs State of Punjab, CRM-M No.9848 of 2018, Rohit Kumar vs State of Haryana, CRM-M No.3531 of 2019** and **Jaswinder Singh Kaku vs State of Punjab, CRM-M No.46569 of 2019.**

Learned State counsel, however, opposed the bail on the ground that though the initial offer was with regard to Gazetted Officer, but the Gazetted Officer after arriving at the spot gave both the offers to the accused.

Looking to the facts of the case, I deem it appropriate to grant regular bail to the petitioner on parity with co-accused Vinay Kumar who has already been granted regular bail vide order dated 12.10.2020.

Petitioner is in custody since 25.09.2019.

Challan has already been presented. No PW has been examined so far.

Keeping in view the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail

bonds/surety bonds to the satisfaction of trial Court/concerned
Duty Magistrate.

Nothing expressed hereinabove would be construed
to be an opinion on the merits of the case.

22.01.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |