

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(216)

CRM-M-22245-2021

Date of decision: - 17.06.2021

Robin Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Karandeep Singh, Advocate
for Mr. Mukesh Singla, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No.75 dated 09.12.2018, under Sections 22/61/85 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner argues that the recovery of the contraband was done from the co-accused, namely, Karanveer Singh. Learned counsel for the petitioner submits that co-accused, namely, Karanveer Singh has already been granted the concession of regular bail by a Co-ordinate Bench of this Court on 13.03.2020 while deciding

CRM-M-42987-2019 and therefore, as role attributed to the petitioner is at lower footing as compared to co-accused Karanveer Singh, petitioner is also entitled for the grant of regular bail.

Notice of motion.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel does not dispute the fact that co-accused Karanveer Singh, who was actually holding the contraband at the time of recovery, has already been granted the benefit of regular bail by a Co-ordinate Bench of this Court. Learned State counsel concedes that there are no differentiating facts between the petitioner and co-accused Karanveer Singh as far as the allegations are alleged in the FIR.

Once, it is a conceded position that co-accused of the petitioner, namely, Karanveer Singh, from whom the actual recovery was done, has already been granted regular bail by a Co-ordinate Bench of this Court while deciding CRM-M-42987-2019 on 13.03.2020, petitioner has made out a case for the grant of regular bail on the ground of parity as learned State counsel has not been able to point out any differentiating facts as far as the allegations are concerned qua the petitioner and co-accused Karanveer Singh.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, if not required to be detained in any other case, subject to the

satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner and in case of default of the above undertaking, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

June 17, 2021
naresh.k

(**HARSIMRAN SINGH SETHI**)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No