

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

CRM-M-32878 of 2021

DECIDED ON: 29th September, 2021

Babbu Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.S. Thind, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.73 dated 2.2.2020 under Sections 22/61/85 of NDPS Act, 1985, registered at Police Station City Sirsa, District Sirsa.

Learned counsel for the petitioner submits that co-accused Resham Singh was granted bail by this court in CRM-M-28728 of 2021 vide order dated 2.8.2021. He further submits that as per the case set up, on checking of motor cycle, the packet from which the alleged recovery was made was lying between Resham Singh and the petitioner. He seeks parity with co-accused Resham Singh.

Learned State counsel on instructions opposes the prayer for grant of bail but is not in a position to bring forth any distinction between Resham Singh and the petitioner, so far as grant of bail is concerned. On instructions, she submits that the order relied upon by counsel for petitioner has not been challenged till date.

In view of parity of petitioner viz-a-viz Resham Singh, so far relief under Section 439 Cr.P.C. is concerned, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

29th September, 2021
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>