

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-21749-2021 in/and
CRM-M-32553-2020 (O&M)
Date of Decision:-30.7.2021

Kulwinder Singh @ Kindi	Versus	... Petitioner
State of Punjab		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manvinder Sidhu, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

CRM-21749-2021

The applicant/petitioner seeks preponement of the main case i.e. petition under Section 439 Cr.P.C. on the ground that another petition filed by co-accused Gurjant Singh @ Janta, which was also fixed for the same date, was ordered to be preponed vide order dated 15.7.2021 and was taken up on the same day and has been granted bail.

In view of the reasons mentioned in the application, the same is allowed and hearing of the main petition, which is presently fixed for 1.9.2021 is preponed and is taken on board today.

CRM-M-32553-2020 (Main Case)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.0094 dated 25.12.2019 at Police Station Talwandi Bhai, District Ferozepur under Section 15 of Narcotic Drugs & Psychotropic Substances Act.
2. As per the case of prosecution a secret information was received by the police to the effect that Kulwinder Singh @ Kindi (petitioner) and Gurjant Singh @ Janta indulged in sale of '*poppy husk*' and that even on the given day they were waiting for customers at Tumber Bhan Drain. Pursuant to receipt of said information a raid was conducted and the petitioner Kulwinder Singh @ Kindi and Gurjant Singh @ Janta were arrested from the spot, who were found in possession of 3 plastic bags containing a total of 87 kgs. of '*poppy husk*'.
3. It is not disputed that identically situated co-accused Gurjant Singh @ Janta has already been ordered to be released on bail vide order dated 15.7.2021 passed by a Coordinate Bench. Such circumstances would certainly entitle the petitioner to grant bail on grounds of parity particularly since he has also been behind bars for a similar period of more than 1½ years and conclusion of trial is likely to consume time as no PW has been examined so far. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

30.7.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**