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

**CRM-M-40423-2020
Date of Decision: 24.03.2021**

Karambir Singh @ Karanbir @ Dhana

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. D.S. Pheruman, Advocate,
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.04, dated 07.01.2020, under Sections 22, 29 NDPS Act 61 of 1985, registered at Police Station Valtaha, District Tarn Taran.

2. The petitioner was arrested on 07.01.2020.

3. 10,000 Tramadol Tablets (CLOVIDOL-100 SR) were allegedly recovered from the petitioner.

4. Ld. State Counsel submits that Challan against the petitioner has already been presented after completion of the investigation and the matter is now fixed in the Ld. Trial Court for consideration of charges. As such, the trial is yet to commence.

5. Co-accused Sahib Singh @ Saba was granted regular bail by this Court in CRM-M-20718-2020 on 12.11.2020, after considering the

decisions of the Co-ordinate Benches of this Court referred to in CRM-M-714-2020 titled as “Baljeet Singh Vs. State of Punjab”, CRM-M-8725-2020 titled as “Deepak Saini Vs. State of Haryana”, CRM-M-7437-2019 titled as “Kashmir Singh Vs. State of Punjab” and CRM-M-20080-2019 titled as “Thana Singh Vs. State of Punjab”. The recovery of the same contraband from the said co-accused Sahib Singh @ Saba was of a lesser quantity, which was, in any case, well above the commercial quantity. Admittedly, both the accused persons in the case were arrested simultaneously from the same spot.

6. From the Custody Certificate of the petitioner, it transpires that there is no record of his involvement in any other case under the NDPS Act, and the actual detention suffered by him till date is more than that of the co-accused Sahib Singh @ Saba. The petitioner is, therefore, entitled to be released on regular bail at this stage, not only on the ground of parity, but also keeping in view the fact that trial is still likely to take a considerable time to conclude as the prosecution evidence is yet to commence and the date fixed in the Ld. Court below for that purpose happens to be 23.04.2021.

7. In view of the above and without making any further comments on the merits of the case, the petitioner's prayer for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

8. Disposed off.

24.03.2021

Apurva

(SUDIP AHLUWALIA)

JUDGE

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