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

**CRM-M No.4571 of 2023
Date of Decision: 03.02.2023**

RAVINDER SINGH @ BAGGA

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. J.S. Kang, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

RAJ MOHAN SINGH , J.(ORAL)

The petitioner seeks grant of regular bail in his 3rd attempt under Section 439 Cr.P.C in case bearing FIR No.200 dated 22.04.2020 registered under Section 15 of the NDPS Act (Sections 61/85 of the NDPS Act added later on) at Police Station Barwala, District Hisar.

Earlier CRM-M No.18933 of 2020 filed by the petitioner was dismissed along with CRM-M No.19470 of 2020 filed by the co-accused namely Parminder Singh @ Tinder. On the basis of aforesaid dismissal of CRM-M No.18933 of 2020, second petition filed by the petitioner i.e. CRM-M No.6766 of 2021 was

dismissed on 26.04.2022. Thereafter, co-accused Parminder Singh @ Tinder has been granted regular bail by this Court vide order dated 19.01.2023 passed in CRM-M No.2056 of 2023. The petitioner seeks regular bail on parity with the co-accused.

The FIR in question was registered on the basis of secret information that two persons were coming in a truck with a consignment of poppy husk. *Naka* was installed by the police and the truck in question was stopped. The driver of the truck tried to run away, but was apprehended by the police and he disclosed his name as Parminder Singh @ Tinder. The petitioner was sitting with the driver and on being asked, the petitioner disclosed his name as Ravinder Singh @ Bagga. Four plastic bags each containing 26 Kgs of poppy husk were allegedly recovered from the vehicle in which the petitioner was not the driver.

Learned counsel for the petitioner further submits that the petitioner is neither the owner of the truck nor the driver of the same. The petitioner is in custody for last more than 2 years and 9 months. The co-accused Parminder Singh @ Tinder has been granted bail after noticing all incriminating facts and prima facie prospects of the case against the accused. The only difference is that the petitioner is involved in one more NDPS case in which he is on bail. The complicity of the petitioner in terms of Section 37 of the NDPS Act can be appreciated in the

light of number of precedents cited in order dated 19.01.2023 passed in CRM-M No.2056 of 2023.

Keeping in view the custody of the petitioner for more than 2 years and 9 months and also attending facts and circumstances of the case, I deem it appropriate to consider the regular bail of the petitioner on parity with Parminder Singh @ Tinder and for the prima facie reasons recorded in the order dated 19.01.2023, this petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

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

03.02.2023	(RAJ MOHAN SINGH)
P.Bhatt	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No