

212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17050-2022

Date of Decision: 15.02.2023.

LAKHPREET SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Gurpal Singh Sandhu, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in the case bearing FIR No. 0149 dated 31.07.2021 under Sections 22 (b) and 27 (b) of the NDPS Act registered at Police Station City Malout, District Sri Muktsar Sahib.

Custody certificate has been placed on record.

As per the version of the prosecution, the petitioner alongwith co-accused, namely, Sukhwinder Singh were apprehended by the police party. 12 vials of Codeine, 400 tablets of Tramadol and 150 tablets of Carisoprodol were recovered from all the three persons. Besides, a sum of Rs.1,26,000/- was also recovered from the co-accused, namely, Nirmala.

Learned counsel for the petitioner contends that only 05 bottles of Codeine and 200 tablets of Tramadol have been recovered from the petitioner. The same recovery was also effected from Sukhwinder Singh, co-accused, who has been granted bail in terms of the order dated 05.04.2022 passed in CRM-M-13534-2022. Besides, Nirmala, co-accused, has also been granted bail in terms of the order dated 23.03.2022 passed in CRM-M-35082-2021. The investigation of the case is complete, challan has been presented and no witness has been examined till date.

Learned State counsel has not disputed the aforesaid factual aspects.

It may be mentioned here that the petitioner is in custody for a period of 01 year, 06 months and 19 days and not involved in any other case. Till date, no witness has been examined. Furthermore, the case of the petitioner is at par with Sukhwinder Singh, co-accused, who has been granted bail by the Coordinate Bench of this Court. In these set of circumstances, the petitioner also becomes entitled to the regular bail on the principle of parity.

In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

15.02.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No