

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216-1

CRM-M-16856-2022

Date of decision: 21.09.2023

Ram Niwas @ Kala

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. L.S. Sekhon, Advocate, for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana

DEEPAK GUPTA, J. (Oral)

By way of this petition filed under Section 439 Cr.P.C., prayer is for grant of regular bail to the petitioner in case FIR No.43, dated 23.02.2021, registered under Sections 20-C, 27-A and 29 of the NDPS Act, 1985, at Police Station Sadar Fatehabad, District Fatehabad.

As per the prosecution allegations, 201 kg. 450 grams of *ganja* contained in 8 plastic bags were recovered on 23.02.2021 by the police from a car make Etios bearing registration No.HR22-S-8269, which was occupied by two persons, i.e. the present petitioner, Ram Niwas and one Dharamvir Singh.

Learned counsel for the petitioner submits that similarly placed co-accused Dharamvir has already been granted bail vide order dated 01.08.2023 passed in CRM-M-35832-2023 by a coordinate Bench, a copy of which has been placed on record.

Learned State counsel has placed on record custody certificate in respect of the petitioner, revealing that the petitioner is in custody for the last 2 years, 6 months and 26 days and has no criminal antecedents.

Learned State counsel does not dispute the fact that the case of the present petitioner, Ram Niwas is on parity with Dharamvir, who has already been admitted to bail by a coordinate Bench.

In the aforesaid facts and circumstances and on the ground of parity and the fact that the petitioner is in custody for the last more than 2 years and 6 months, but without commenting anything on the merits of the case, the present petition is allowed. The petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

(DEEPAK GUPTA)
JUDGE

September 21, 2023
vcgarg

Whether speaking/reasoned:	Yes
Whether reportable:	No