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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-45275-2023

Date of Decision: 15.09.2023

Narender

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.450 dated 17.07.2021, under Section 20 of the NDPS Act, registered at Police Station Samalkha, District Panipat.

2. Learned counsel for the petitioner has submitted that the petitioner was granted interim bail by this Court in view of the fact that at that point of time, the FSL report was not received and considering the judgment of a Division Bench of this Court in “**Inderjeet Singh @ Laddi and others Vs. State of Punjab**”, 2014(3) RCR (Criminal) 953, interim bail was granted to him and thereafter, the petitioner has surrendered well in time. He further submitted that now the custody of the petitioner after excluding the period of interim bail comes out to be 1 year and 10 months . He also submitted that apart from the above, the other co-accused, namely, Upender, who is at parity with the present petitioner, has already been

granted regular bail by this Court by passing a detailed order in CRM-M-28503-2023 on 29.08.2023 and so far as the present petitioner is concerned, he is at parity with the aforesaid co-accused and therefore, he may also be considered for the grant of regular bail.

3. On the other hand, Ms. Harpreet Kaur, learned AAG, Haryana has stated that it is correct that the petitioner is in custody for 1 year and 10 months after excluding the period of interim bail and it is also correct that the petitioner is at parity with the aforesaid co-accused, namely, Upender, who has been granted regular bail by this Court by passing a detailed order.

4. In view of the aforesaid position and considering the fact that the petitioner is at parity with the aforesaid co-accused, namely, Upender, he also deserves the concession of regular bail. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

5. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

15.09.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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