

S. No.224

2023:PHHC:164014

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

CRM-M-63105 of 2023

Date of Decision:20.12.2023

Sandeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Sidhu, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.264 dated 17.09.2021 registered under Sections 22(c) (Act N: 61 of 1985) of Narcotic Drugs and Psychotropic Substances Act (for short, 'the NDPS Act') at Police Station Lambi, District Sri Muktsar Sahib.

As per prosecution allegations, 6000 tablets of Tramwel-SR 100 (Tramadol Prolonged release tablets IP), were recovered on 17.09.2021 from the possession of the petitioner and co-accused Lovepreet Singh @ Lovely @ Labhpreet Singh.

Learned counsel for the petitioner contends that similarly placed co-accused Lovepreet Singh @ Lovely @ Labhpreet Singh has already been allowed regular bail by this Court vide order dated 04.12.2023 in CRM-M-52884 of 2023, copy of which is Annexure P.3. Learned counsel further contends that the petitioner is in custody for the last more than 02 years; trial may take long time to conclude and that the petitioner is not involved in any other case.

Notice of motion.

Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent- State. Custody certificate has been placed on record.

Learned State Counsel could not refute the afore-said contention to the effect that case of the petitioner is on parity with co-accused Lovepreet Singh @ Lovely @ Labhpreet Singh, who has already been allowed bail by this Court vide Annexure P.3.

Custody certificate reveals that petitioner is in custody for the last 02 years 02 months and 29 days and he has no criminal antecedents.

It was noticed in the order dated 04.12.2023 (Annexure P.3) that only 03 out of 18 witnesses have been examined so far.

Having regard to the afore-said facts and circumstances, particularly on the basis of parity, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

December 20, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No