



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

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CRM-M-24785-2024

Date of Decision.:28.05.2024

Gurdeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Thakur, Advocate with
Mr. Anshul Sharma, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of second petition filed under Section 439 Cr.P.C in case FIR No.12 dated 31.01.2021 under Section 15 (Act No.61 of 1985) of NDPS Act registered at Police Station Division No.7, Jalandhar, District Jalandhar. Earlier petition bearing No.CRM-M-20315-2021 was dismissed as withdrawn vide order dated 15.03.2022 (Annexure P-10).

2. As per the allegations, on the basis of secret information 04 persons, shifting bags of contraband from truck number JK-03-E-3324 in car number PB-11-BE-2364 were apprehended on 31.01.2021. 22 bags of poppy husk, with total weight of 450 Kgs were recovered. The four persons apprehended from the spot were petitioner- Gurdeep Singh besides Danish Manzoor, Irshad Ahmad @ Zuber and Manjit Singh @ Lada.

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3. Learned counsel contends that similarly placed co-accused Danish Manzoor, Manjit @ Lada were allowed bail by a co-ordinate Bench of this Court vide order dated 23.04.2024 (Annexure P-5). Another similarly placed co-accused Irshad Ahmad @ Zuber was allowed bail by a co-ordinate Bench of this Court vide order dated 26.04.2024 (Annexure P-6). Learned counsel further contends that petitioner is in custody for the last more than 03 years. Learned counsel has also drawn attention towards orders Annexures P-7 to P-9 in order to contend that in 03 other cases of NDPS Act in which petitioner is involved, he has already been allowed bail.

4. Notice of motion.

5. Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent- State.

6. Learned State counsel could not refute the aforesaid contentions that case of petitioner is on parity with co-accused Danish Manzoor, Manjit Singh @ Lada & Irshad Ahmad @ Zuber, who have already been allowed bail by co-ordinate Bench of this Court vide orders Annexures P-5 & P-6.

7. As per the custody certificate, petitioner is in custody for the last 03 years 03 months and 16 days. He is convict in a jail offence. Besides, he is also involved in 04 other cases out of which 03 cases pertain to NDPS Act but as per orders Annexures P-7 to P-9, petitioner has been allowed bail in all those three cases.

8. Learned State counsel, on instructions from ASI Surinder Pal, informs that out of 20 witnesses cited by the prosecution, 10 have been



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examined so far. Thus, trial is likely to take long time to conclude.

9. Having regard to the above facts and circumstances, particularly on the basis of parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

May 28, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No