

Neutral Citation No: 2024.PHHC.106601



CRM-M-38236-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-38236-2024

Decided on:20.08.2024

Manohar Lal

.... Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Manjinder Singh Brar, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG,Punjab.

SANJAY VASHISTH, J.(Oral)

1. Present petition has been filed under Section 439 Cr.P.C., seeking regular bail in case FIR No.27 dated 29.04.2022, under Sections 18, 27-B and 29 of the NDPS Act, 1985, registered at Police Station City-II Abohar, District Fazilka.

2. By reading out the version of FIR (Annexure P-1), learned counsel for the petitioner submits that as per the secret information received by the Investigating Officer, accused Sat Narayan and Manohar Lal (petitioner herein) were allegedly brining the opium in huge quantity from Madhya Pradesh and selling the same in Abohar and nearby areas with the help of one Mahal Singh (co-accused). Learned counsel for the petitioner further submits that as per the allegations in the FIR, Mahal Singh, Sat



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Narayan and petitioner were found to be travelling in one Brezza car, registration number of which was not even mentioned in the original version of FIR.

3. Learned counsel for the petitioner also submits that co-accused, namely, Mahal Singh and Sat Narayan, who were occupying the front seats as driver and co-occupant have already been granted the concession of regular bail by this Court vide orders dated 15.07.2024 and 30.07.2024 respectively.

To substantiate the said plea, learned counsel for the petitioner refers to the order dated 15.07.2024 (Annexure P-3) passed in CRM-M-8104 of 2024 qua Mahal Singh @ Mahil Singh and the order dated 30.07.2024 (Annexure P-4), passed in CRM-M-35067-2024 qua Satayanarayan Prajapati.

4. Learned State Counsel is unable to controvert all the pleas raised by the petitioner and also the fact that the co-accused namely, Mahal Singh and Sat Narayan, as per the allegations are similarly situated and have already been released on bail by this Court. Even the fact is not disputed that petitioner and other co-accused, who have already been granted bail, were arrested together at one point of time.

5. Accordingly, the prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/

Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. It is made clear that the petitioner shall not extend any threat and shall not influence any of the prosecution witnesses in any manner, directly or indirectly.
7. The observation made hereinabove shall not be construed as an expression of opinion on the factual matrix of the case and the Trial Court is expected to decide the case, on the basis of complete evidence available on record.
8. It is further made clear that if, in future, petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

Petition stands disposed of.

20.08.2024
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[SANJAY VASHISTH]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable?	Yes/No