

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234 CRM-M-57101-2023
Date of Decision.:31.01.2024

Anil @ ChillaPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Yashna Thakur, Advocate for
Mr. V.B. Godara, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana
assisted by ASI Sukhwinder Singh.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.153 dated 12.05.2022 registered under Section 21(C)/27-A/29 of NDPS Act, 1985 & 201 of the IPC, 1860 registered at Police Station Bhuna, District Fatehabad.

2. The contention raised by learned counsel for the petitioner is that similarly placed co-accused Inderjeet & Mukesh Kumar @ Sheelu have already been allowed regular bail by this Court vide orders Annexure P-4 & Annexure P-5.

3. Learned State counsel could not refute the aforesaid contentions.

4. Co-accused Inderjeet has been allowed bail vide order dated 18.01.2023 passed in CRM-M-48549-2022 (Annexure P-4); another

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co-accused Mukesh Kumar @ Sheelu has been allowed bail vide order dated 01.03.2023 passed in CRM-M-56019-2022 (Annexure P-5). Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 01 year 07 months and 07 days. Though petitioner is involved in various other cases as per the custody certificate, but none of the other cases pertain to NDPS Act.

5. Learned State counsel, on instructions from ASI Sukhwinder Singh, has informed that 29 witnesses have been cited by the prosecution in the challan to be examined during trial. However, even the charges have not been framed, till date.

6. Having regard to the above facts and circumstances, particularly on the basis of parity and also the custody period of the petitioner, 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

January 31, 2024
Neetika Tuteja

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