

CRM-M-54924-2024

-1-

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

CRM-M-54924-2024

Date of Decision: 11.11.2024

Meva Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

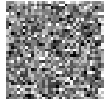
Present: Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present second petition praying for granting him regular bail in case FIR No.39 dated 17.03.2023, under Section 21, 61 of NDPS Act, 1985, registered at Police Station Balongi, District SAS Nagar.

2. As per the facts of the case, on 17.03.2023, the Police party while on patrolling received a secret information that Ravi Kumar @ Ravi and Meva Singh (petitioner) were coming in white colour car from TDI City side to village Ballo Majra and were carrying huge quantity of heroin for supplying the same to their permanent customers. On finding the secret information to be reliable, the Police party laid naka and stopped a white car bearing No.JH-05-AT-7776 and found two above-said persons travelling in the same. On search, 500 grams of heroin was recovered from the cross bag carrying by accused Ravi Kumar around his neck and 400 grams of heroin was recovered from cross bag carrying by accused Meva Singh around his neck. As they failed to produce any licence regarding the possession of the contraband, the FIR was registered and they were arrested on spot. The petitioner approached the Court of learned Special Court, SAS Nagar, Mohali praying for grant of regular bail.



CRM-M-54924-2024

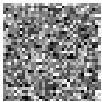
-2-

However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 08.05.2023. Thereafter, earlier the petitioner approached this Court by way of filing CRM-M-33435-2023, however, after hearing both the sides, the same was disposed of vide order dated 28.08.2023 and the petitioner was ordered to be released on interim bail for a period of two months. Hence, the petitioner approached this Court by way of filing the present second petition praying for grant of bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Ravi Kumar @ Ravi. He has drawn the attention of this Court to the order dated 23.10.204 passed by this Court in **CRM-M No.24664 of 2024**, whereby the co-accused of the petitioner, namely, Ravi Kumar @ Ravi, from whom alleged recovery of 500 grams of heroin was effected, has been granted the concession of bail. He has submitted that the case of the petitioner is at par with the co-accused. He submits that the petitioner is in custody from the last about six months. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the co-accused, who has already been granted bail.

4. Learned counsel for the State has endorsed the same and has submitted that the petitioner is at par with the co-accused, namely, Ravi Kumar @ Ravi. He has submitted that out of 19 prosecution witnesses, 02 witnesses have been examined and 03 witnesses have been given up. On instructions, he submits that the petitioner has no criminal antecedent.

5. Heard.



6. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars from the last about six months. The case of the petitioner is at par with co-accused Ravi Kumar @ Ravi, who has been granted regular bail by this Court vide order dated 23.10.2024. Out of total 19 prosecution witnesses, 02 witnesses have been examined and 03 witnesses have been given up.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

11.11.2024
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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No