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

CRM-M-10273-2025

Date of decision : 28.02.2025

Sandeep Singh @Sampy**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

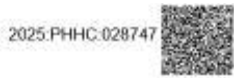
1. Present fourth petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.65, dated 02.08.2023 (Annexure P-1), under Sections 22 and 25 of Narcotic Drugs & Psychotropic Substance Act, 1985, registered at Police Station Hathur, District Ludhiana.
2. Succinctly the facts of the case are that on 02.08.2023 at about 10.30 a.m, the police party while on patrolling spotted two persons coming on the Scooter. After seeing the police, they got perplexed and tried to stop his scooter and turn back. However they were apprehended. On asking, both of them disclosed their name as Harjit Singh @ Janta and Sandeep Singh Sampy (petitioner). A polythene bag was seen hanging on the headlight of the scooter. On suspicion, they were given the offer to be searched. On searching the polythene bag, 295 intoxicating tablets were recovered. They failed to produce any licence regarding the possession of the same and thus, the FIR was registered and both were arrested on the spot. The samples taken were sent to the FSL. On completion of the investigation, the challan was



filed and the trial commenced. Being aggrieved, the petitioner approached the Court of learned Judge Special Court, Ludhiana praying for the grant of bail. However, after hearing both the sides, finding no merit in the same, the learned Judge Special Court, Ludhiana declined the bail filed by the petitioner vide his order dated 17.10.2023. The petitioner earlier approached this Court thrice by way of filing petitions bearing CRM-M-57958-2023, CRM-M-15694-2024 and CRM-M-58032-2024 praying for the grant of bail, however the same were dismissed as withdrawn vide orders dated 22.11.2023, 05.04.2024 and 09.12.2024 respectively. Hence being aggrieved the petitioner is before this Court again by way of filing the present fourth petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of co-accused Harjit Singh @ Janta. He has drawn the attention of this Court to the order passed by this Court in CRM-M-31666-2024 dated 14.11.2024 whereby co-accused of the petitioner, namely, Harjit Singh @ Janta has been granted the concession of regular bail. He has submitted that case of the petitioner is at par with the co-accused, who has been granted bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail by this Court.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has placed on record the custody certificate of the petitioner which shows that petitioner has undergone actual sentence of 01 year 06 months and 23 days as on 27.02.2025. It further reflects that there is no other case pending against the petitioner. However, he affirms that co-accused Harjit Singh @ Janta has already been granted regular bail by this



Court vide order dated 14.11.2024 passed in CRM-M-31666-2024. He has submitted that investigation is complete, challan has been presented and all the witnesses have been examined.

5. After hearing counsel for the parties and perusing the record, it is deciphered that on registration of the FIR, investigation commenced and petitioner was arrested on 02.08.2023. As submitted investigation is already complete and all the witnesses have been examined. Co-accused Harjit Singh @ Janta has already been granted regular bail. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 01 year 06 months and 23 days as on 27.02.2025 and he has no criminal antecedents.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity with co-accused, Harjit Singh @ Janta who has already been granted regular bail by this Court vide order dated 14.11.2024 passed in CRM-M-31666-2024. 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.

28.02.2025
m.sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No