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

CRM-M-51105-2024**Date of Decision: 12.03.2025**

Jagpal Singh @ Jagdev
Singh @ Jagga @ Jimmy

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Yagsimant Attri, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.78 dated 18.08.2023 registered under Sections 22, 29 of NDPS Act and Section 489 of IPC, (Section 29 of NDPS and Section 489 of IPC added later on), at Police Station Badhni Kalan, District Moga.

2. Learned counsel for the petitioner contends that as per the case set up by the prosecution, on 18.08.2023, a police party had apprehended Dilbagh Singh @ Labha and the petitioner, while they were going on motorcycle. As per the prosecution, 100 tablets of Etezola were recovered from both the accused in the present case and they were taken in custody on the same day. Learned counsel for the petitioner contends that now Dilbagh Singh @ Labha, similarly placed co-accused has already been admitted to bail by this Court vide order dated 17.09.2024 (Annexure P-2) and the case of the petitioner is at par

with him. He further contends that the petitioner was arrested in the present case on 18.08.2023 and the challan has already been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner. However, he does not dispute the fact that similarly placed co-accused Dilbagh Singh @ Labha has been admitted to bail by a co-ordinate Bench of this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. From the record, it is an admitted fact that similarly placed co-accused Dilbagh Singh @ Labha has been admitted to concession of bail by a co-ordinate Bench of this Court vide order dated 17.09.2024 (Annexure P-2) and the case of the petitioner is at par with him.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

12.03.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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