



216 (2 cases)

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1.

CRM-M No.59539 of 2024
- Sahnshah Singh

..... Petitioner
- Versus
- State of Punjab

..... Respondent
2.

CRM-M No.61688 of 2024
- Narinder Singh @ Ghappa @ Ghoppa

..... Petitioner
- Versus
- State of Punjab

..... Respondent
- Date of Decision: 11.03.2025

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Nishan Singh Chahal, Advocate
for the petitioner in CRM-M-59539-2024.

Mr. Savreet Singh Brar, Advocate
for the petitioner in CRM-M-61688-2024.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1.

By way of this common order, I intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.
2.

Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.41 dated 04.04.2024, under Sections 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (wrongly mentioned Section 21(c) of NDPS in order



dated 30.05.2024), registered at Police Station Sadar Faridkot, District Faridkot.

3. The petitioners sought relief of regular bail in the FIR (supra). The instant FIR, was registered on the basis of statement of ASI Chamkaur Singh, wherein, he alleged that on dated 04.04.2024, when he along with other police officials going towards village Chandbaja, in connection with patrolling and checking of suspects, they saw six persons, who were sitting under the shed of grain market, and upon seeing the police party, one of them whose name later on revealed as Mandeep Singh, threw away a polythene bag. All the six persons were apprehended by ASI Chamkaur Singh, with the help of other police officials, which include the present petitioners also. After making compliance of the provisions of the NDPS Act, on checking of polythene bag, which was thrown by co-accused Mandeep Singh,, 145 strips (each strip containing 10 tablets), i.e. 1450 tablets of intoxicant mark Tramadol Hydrochloride were recovered from it. However, no recovery was effected from the petitioners.

4. Learned counsel for the petitioners, at the outset, pray for the grant of bail on the basis of parity with that of the co-accused. He has drawn the attention of this Court to the common order passed by the Coordinate Bench in **CRM-M-28132-2024 and CRM-M-30419-2024** dated 29.10.2024 whereby co-accused of the petitioner, namely, Jaspreet Singh @ Jashan and Harmanpreet Singh, have been granted the concession of bail. He has submitted that case of the petitioner(s) is at par with the co-accused, who have been granted bail by this Court. He submits that on the basis of the parity, petitioners deserve to be granted



bail as case of the petitioners is similar to that of the co-accused, who have already been granted bail.

5. Learned counsel for the State although has opposed the prayer of the petitioners yet endorsed the fact that the case of petitioners is at par with co-accused, namely, Jaspreet Singh @ Jashan and Harmanpreet Singh, who have already been granted bail by this Court. He further submits that challan is presented and charges are yet to be framed.

6. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioners are behind bars since 04.04.2024 and nothing has been recovered from the petitioners. As submitted before this Court, challan is presented and charges are yet to be framed in the present matter. Admittedly, co-accused of the petitioners, namely, Jaspreet Singh @ Jashan and Harmanpreet Singh, have already been granted bail by the Court vide common order dated 29.10.2024 passed in **CRM-M-28132-2024 and CRM-M-30419-2024** as the role attributed to the petitioners is similar to the co-accused, who have been allowed bail by this Court.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioners succeed in making out a case for the grant of bail to the petitioners on the basis of parity with the co-accused as stated above. Accordingly, present petitions are allowed and petitioners are

ordered to be released on bail on their 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.

9. A photocopy of this order be placed on the file of connected case.

11.03.2025
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(RAJESH BHARDWAJ)
JUDGE

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