HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 15113/2024

Gursewak Singh S/o Shri Bhola Singh @ Karamjeet Singh, Aged About 33 Years, R/o W.no. 11, Chak 37 M.m.k. Morjhankhari, P.s. Sadul Shahar, Dist - Sriganganagar Raj. (Presently Lodged In Central Jail - Sri Ganganagar.)

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. N.K. Sharma Mr. Durgesh Khatri
For Respondent(s)	:	Mr. Surendra Bishnoi, Addl.G.A.

HON'BLE MR. JUSTICE FARJAND ALI

Order

07/01/2025

1. The jurisdiction of this Court has been invoked by way of filing an application under Section 439 Cr.P.C. at the instance of accused-petitioner. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	113/2024
2.	Concerned Police Station	Lalgarh Jatan
3.	District	Ganganagar
4.	Offences alleged in the FIR	Under Section 8/21 of the NDPS Act
5.	Offences added, if any	Under Sections 8/25 and 29 of the NDPS Act
6.	Date of passing of impugned order	18.11.2024

2. It is contended on behalf of the accused-petitioner that no case for the alleged offences is made out against him and his

incarceration is not warranted. There are no factors at play in the case at hand that may work against grant of bail to the accused-petitioner and he has been made an accused based on conjectures and surmises. Learned counsel for the petitioner further submits that the co-accused Ramandeep Singh @ Raman S/o Shri Kashmir Singh (Bail Application No.9627/2024) has already been enlarged on bail by this Court vide order dated 30.07.2024. He further submits that case of the petitioner is not distinguishable with that of the case of the co-accused Ramandeep Singh who has already been enlarged on bail.

3. Contrary to the submissions of learned counsel for the petitioner, learned Additional Government Advocate opposes the bail application and submits that the present case is not fit for enlargement of accused on bail.

4. I have considered the submissions made by both the parties and have perused the material available on record. The co-accused Ramandeep Singh @ Raman has already been enlarged on bail vide order dated 30.07.2024 passed in S.B. Criminal Misc. Second Bail Application No.9627/2024. Thus, on the ground of parity and considering the fact that there is high probability that the trial may take long time to conclude, it is deemed suitable to grant the benefit of bail to the petitioner in the present matter.

5. Accordingly, the instant bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner as named in the cause title shall be enlarged on bail provided

he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(FARJAND ALI),J

82-Ashutosh/-