

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

CRM-M-17343-2016

Decided on: 12 July, 2016

Mohd. Irfan

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Sandeep Kotla, Advocate,
for the petitioner.

Mr. G.S. Salwara, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner seeks concession of regular bail in a case registered on the basis of secret information on 28.01.2016 to the effect that Rajender, Kamal, Sandeep, Raju and petitioner alongwith others had been doing the business of charas in the house of Rajender. When raid was conducted, 3 boys escaped from the spot whereas, the petitioner and Ansh were arrested but no recovery was effected from the persons whose name was there in the secret information. Rajender handed over one bag containing 3 kgs 500 gms of charas stating that petitioner, Kamal, Sandeep, Raju and Ansh had come in a Safari car alongwith bag and were striking deal of charas.

On the instructions of ASI Manoj Kumar, it has been informed that Rajender who was named in the secret information and who had handed over the contraband, has not been made an accused despite the fact that the charas containing 3 kg 500 gms was recovered from his possession pursuant to the secret information. However, said Rajender is stated to have been

made a prosecution witness.

It will not be appropriate to grant the concession of bail to the petitioner at this stage when no opinion can be expressed regarding conduct of the prosecution agency qua Rajender from whom the recovery was effected. Accordingly, this petition is dismissed at this stage with liberty to the petitioner to approach this Court again after recording of the statements of prosecution witnesses.

(M.M.S. BEDI)
JUDGE

July 12, 2016
Dinesh