

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-8472-2017

Date of Decision: 16.03.2017

Ombir @ Rambir and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sudhir Hooda, Advocate,
for the petitioners.

Mr. Sharad Kumar Yadav, D.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner, in case FIR No. 455 dated 03.09.2016, registered at Police Station City, Bahadurgarh, District Jhajjar, for the alleged commission of offences punishable under Sections 17, 18, 21 and 29 of the NDPS Act, 1985 and Section 7/13 of the E.C. Act, as also Sections 217 and 221 of the IPC.

Learned counsel for the petitioners submits that the first petitioner is about 50 years old with no criminal record whatsoever and petitioner no. 2 is the son of petitioner no. 1, again with no criminal record so far. They are stated to have been named by one Sabish (who was formally an ASI), who is stated to have been apprehended with 776 grams of heroin and 80 grams of '*Ganja*'. During the course of his interrogation, the aforesaid Sabis is stated to have named petitioner no. 1 and allegedly

upon arrest of petitioner no. 1, he named his son, i.e. petitioner no. 2, as his co-accused, who was dealing in '*Ganja*'.

Upon query, learned counsel for the State, on instructions from SI Shesh Raj, who is present in Court today to assist him, does not deny the fact that the petitioners have no criminal record prior to the 'present' FIR being registered against them.

On another query, he has also submitted that other than the connection with the aforesaid Sabis, no other 'criminal connection' of the petitioners was found by the investigating agency.

As regards the stage of the trial, he submits that out of 23 witnesses, none has been examined so far and that the petitioner have been in custody since 26.09.2016.

In the aforesaid circumstances and the fact that the trial is likely to take long as yet, the petition is allowed. The petitioners shall be admitted to bail upon their furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court

However, the trial Court would ensure that the bail and surety bonds furnished are of a sufficient amount so as to try and ensure that the petitioners do not jump bail.

(AMOL RATTAN SINGH)
JUDGE

March 16, 2017

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Whether speaking/reasoned

Yes

Whether Reportable

No.