

CRM-M-NO.13339 OF 2019

1

226

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-NO.13339 OF 2019
Date of Decision: 08.04.2019

Vinod

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present Mr.Parminster Singh, Advocate for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.

MAHABIR SINGH SINDHU, J (ORAL)

Present petition has been filed under Section 439 of the Code of Criminal Procedure (for short 'Cr.P.C.') for grant of bail pending trial to the petitioner in case FIR no.0092 dated 03.02.2017, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, (for short 'NDPS Act') registered at Police Station Chandni Bagh, District Panipat.

As per the FIR, on 03.02.2017, when ASI Anil Kumar, CIA-I, Panipat along with other police officials was present at Siwah Stadium, GT Road, Panipat in connection with patrolling and crime detection, a secret information was received that a car bearing registration No. HR-05AD-2935 make Indigo occupied by 3/4 youths having *ganja patti* is coming from Siwah railway crossing side and will go towards Panipat, consequently, barricades were laid on the road. After some time, car reached and was stopped; four youths were apprehended. They disclosed their names as Anil (driver), Bobby, Aman @ Shivam and Mohan. One packet each containing 2

CRM-M-NO.13339 OF 2019

2

kgs ganja each was recovered from the possession of accused Bobby, Aman @ Shivam and Mohan. During investigation, Vinod (the present petitioner) was arrested and in pursuance of his disclosure statement, 33 kgs 400 gms *ganja patti* was recovered, which was kept in the plot of Raj Kumar.

Learned counsel for the petitioner contended that the petitioner is in custody since 03.02.2017; alleged recovery of 33 kgs 400 gms *ganja patti* has been planted upon the petitioner and the same has been recovered from the plot of co-accused Raj Kumar and thus, neither any recovery has been effected from him nor any investigation is pending.

Learned State counsel, on instructions from ASI Ram Niwas has apprised the Court that the entire prosecution evidence is over and now the case is fixed for 11.04.2019 for defence evidence.

In view of the above, no case is made out for grant of bail pending trial to the petitioner and the petition is, thus, dismissed.

However, learned trial Court is requested to expedite the trial.

08.04.2019
mamta

(MAHABIR SINGH SINDHU)
JUDGE

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