

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-22257-2020(O&M)

Date of Decision: 11.08.2020

Sonu @ Midda

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Parminder Walia, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner in case FIR No.168 dated 26.7.2019 under sections 120-B, 420, 489-A, 489-B, 489-C, Section 20 of N.D.P.S Act and Section 25 of Arms Act, registered at Police Station, Sector 14, Panchkula, District Panchkula.

Counsel for the parties have been heard.

As per prosecution version, FIR was registered on the complaint of Inspector Naveen Saharan. Secret information is stated to have been received that a number of persons including the petitioner herein were dealing in fake/counterfeit currency and if a raid is conducted, they could be apprehended. Acting upon such secret information a raid was conducted but on seeing the police all the assailants are stated to have run away. However, from the spot fake currency notes amounting to Rs.2,55,000/-, 20.530 kgs *Ganja* and 115 grams *Charas* were recovered.

Learned State counsel vehemently opposes the prayer for bail on the ground that the recovery has been effected from the house which is under the ownership of the father of the petitioner.

Be that as it may, petitioner was not apprehended on the spot and as such, no recovery has been effected from his conscious possession.

Petitioner has faced incarceration since 12.8.2019.

Investigation in the case having been completed challan was presented on 5.11.2019. Charges already stand framed. State counsel informs the Court that even though 13 prosecution witnesses have been cited but none has been examined till date.

Trial, as such, would take time to conclude.

Co-accused Vishal has already been granted benefit of regular bail vide order dated 30.6.2020 passed in CRM-M-15134-2020.

In an overview of the matter and keeping in view the length of incarceration already suffered by the petitioner, he is entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate Panchkula.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.08.2020

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No