

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

CRM-M-18746-2021

DECIDED ON: 9th August, 2021

Badhawa Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Parminder Singh, Advocate for petitioner.

Mr. Zorawar Singh Chauhan, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in case of FIR No. 392 dated 24.12.2020 under Section 15(c), 18, 25, 27-A, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 7, 7-A, 8 of Prevention of Corruption Act, 1988 read with Sections 192, 196, 201, 202, 203, 217, 409, 166-A IPC, registered at Police Sation Uchana, District Jind.

The Haryana State Narcotic Control Bureau, Madhuban, Karnal, received a secret information that Rakesh son of Arjun was arrested by CIA-I, Jind, on 19.12.2020 alongwith Truck bearing registration No.HR-45-C-9998 carrying Poppy Husk. The truck was parked by CIA in the Police Station Uchana without showing the contraband on the police record. As per the case set up, the police officials (co-accused) took money from the family of Amandeep (petitioner is the grand-father of Amandeep) to

ensure that Amandeep is not named in the recovery of Poppy Husk from the apprehended vehicle. During investigation, petitioner and two police officials i.e. ASI Parveen Kumar and Constable Anoop, were detained along with Gajraj and Rakesh. Amandeep and Chotu were let free.

Learned counsel for the petitioner submits that it is a case of false implication. He and his family had nothing to do with the incident of apprehending the vehicle and not reporting the Poppy Husk. He submits that the petitioner is in custody since January, 2021. Investigation is complete, no recovery is to be made from the petitioner.

Learned State counsel opposes the prayer for grant of bail. He submits that on conducting raid, Poppy Husk was recovered from the police station and there was no entry made in the police record with regard to it.

The allegations are against the police officials that they accepted the money and not reported the apprehended contraband in the police station. So far as petitioner is concerned, the allegations are that he had paid money for not involving of his grandson. There is nothing on record that the alleged money paid has been recovered till date. The name of the petitioner surfaced in disclosure statement.

Considering the custody period and the fact that the investigation is complete and conclusion of trial is likely to take time and no useful purpose would be served by keeping the petitioner behind bars. Bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9th August, 2021
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>