

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-34343 of 2020

Date of Decision: 11.02.2021

Kewal Singh alias Keli

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.115 dated 29.07.2020 under Sections 22C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “the NDPS Act”) and Sections 186/332/353/224/225 IPC registered at Police Station Odhan, District Sirsa.

Learned counsel for the petitioner has argued that the petitioner was in custody since 29.07.2020 and vide order dated 02.11.2020, he was released on interim bail by this Court. The alleged

recovery made in the case is 180 tablets of Tramadol Hydrochloride Tredol-100, which is non-commercial in nature.

Learned State counsel has argued that no doubt, the petitioner is on interim bail but the allegations against the petitioner are quite serious. He was found in possession of prohibited contraband/intoxicant tablets i.e. 130 intoxicating tablets of Tramadol Hydrochloride Tredol-100 mg and 50 intoxicating tablets of Tramadol Hydrochloride Tredol-100 mg Trio-SR. Thus, total 180 intoxicating tablets were recovered from the polythene bag being carried by the petitioner. On enquiry from the petitioner about the recovered tablets, he had stated that he purchased the said intoxicating tablets from Inderjeet S/o Kheta Singh. However, when the petitioner was apprehended by the police, he started shouting in loud voice and on hearing his voice, one lady and two boys came out of his house and they also started shouting and used criminal force against the police-party. The said woman caught hold of HGH Sandeep Kumar from his neck and manhandled and gave beatings to him, due to which, buttons of his uniform were broken and his uniform was torn. When the police-party tried to stop them, they started pelting brick-bats on the police-party, due to which, EHC Pawan Kumar No.71 and SPO Gurjant Singh, 94, sustained multiple injuries. Thereafter the said lady and two boys tried to get freed the petitioner from the police and the petitioner also tried to flee from the spot, but he was apprehended by the police. Thus, the petitioner along with said lady and two boys were booked for commission of offence punishable under Sections 22C of the NDPS Act and Sections 186/332/353/224/225 IPC. Learned State counsel has further submitted that the petitioner was

found involved in other cases including FIR No.121 dated 10.08.2020 under Sections 22C of the NDPS Act, registered at Police Station Odhan, wherein recovery of 200 tablets of Tramadol was effected and the case is pending before the trial Court.

I have heard learned counsel for the parties.

The petitioner was granted interim bail by this Court vide order dated 02.11.2020 and the alleged recovery made from him is 180 intoxicating tablets of Tramadol Hydrochloride Tredol-100 mg, which is non-commercial in nature. Considering the fact that trial in the case will take sufficient long time, this Court deems it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the order dated 02.11.2020 is made absolute, subject to the condition that the petitioner shall report to the concerned Police Station quarterly i.e. on 7th of every 4th month starting from 07.03.2021 for a period of one year, so that his activities can be watched by the police.

February 11, 2021
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No