

Through virtual mode

CRM-M-46551-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46551-2021 (O&M)

Date of decision: 10.11.2021

Paramvikas @ Vikky

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.257 dated 18.10.2020 under Section 21 of NDPS Act, registered at Police Station City Jhajjar, District Jhajjar.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police received a secret information that the petitioner is indulged in selling smack and is standing in a street and can be caught red-handed. On receiving such information, a notice under Section 42 of NDPS Act was

prepared and ASI Pawan Kumar along with co-officials reached at the place, where they found that a boy was standing in the street and on seeing the police party, he started to escape, however, he was apprehended by the police party. On inquiry, he disclosed his name as Paramvikas @ Vikky. On suspicion, the Investigating Officer gave him a notice under Section 50 of NDPS Act and thereafter, a Gazetted Officer was called at the spot and recovery of 6.52 grams of smack was effected.

Learned counsel for the petitioner further submits that the petitioner is first offender; he is not involved in any other case; recovery is of small quantity; investigation is complete and it will take some time in conclusion of the trial.

Learned State counsel has filed the custody certificate dated 09.11.2021 in the Court today, according to which, the petitioner is in custody for the last 06 months and 07 days. It is not disputed that challan stands presented; charges have been framed, however, no prosecution witness has been examined so far.

After hearing learned counsel for the parties, without commenting anything further on merits of the case and considering the fact that recovery is of small quantity; the petitioner is in custody for the last 06 months and 07 days; he is first offender; investigation is complete and also in view of the fact that charges have been framed, but no prosecution witness has been examined so far, therefore, it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to

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furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq
Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

10.11.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No