

224 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-7107-2022

Decided on: 24th February, 2022

Parvesh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Kamaldeep Singh Redhu, Advocate for the petitioner.
Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This petition under Section 439 CR.P.C. is filed seeking regular bail in FIR No. 447, dated 8th November, 2020, under Sections 307 read with Section 34 IPC and under Section 20 of Narcotic Drugs and Psychotropic substances Act, 1985 (for short 'the Act'), registered at Police Station Sadar, Rohtak.

2. Brief facts are that a police party on 8th November, 2020, during routine checking near the turn of village Ghilod Khurd, signaled one Scorpio car coming from Rohtak side. The driver of the vehicle tried to run over the vehicle over the police party. The vehicle was driven by Mandeep and Rahul was co-occupant, there was recovery of 28 Kgs. of *Ganja Patti* and a knife. As per the case set up, Parvesh (petitioner) fled from the spot and he was named by the co-accused.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 22nd December, 2020. No recovery was made from him. He further submits that petitioner is not involved in any other case under the

Act. He further submits that co-accused were granted bail by this Court.

4. Learned State counsel opposes the prayer and submits that the recovery from the co-accused was of commercial quantity and the recovered material was *Ganja*, as per the FSL report. The contention is that the petitioner is involved in fifteen more FIRs under various provisions of the IPC.

5. Without commenting on the merits of the case, considering that the petitioner's name surfaced in a disclosure statement; challan has been presented; no further recovery is to be made; the petitioner is not involved in any other case under the Act; co-accused were granted bail by this Court and conclusion of trial is likely to take time, the petitioner is granted bail in the present FIR, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

6. The petition is allowed.

7. It is clarified that observations made here-in-above shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

24th February, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No