

CRM-M-32710 of 2022

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

CRM-M-32710 of 2022
Date of Decision: 14.09.2022

Pardeep @ Piku @ Vicky

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. B.S. Walia, Advocate, for the petitioner.
Mr. Himmat Singh, Deputy Advocate General, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate filed in Court today is taken on record.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.13 dated 09.01.2022 registered under Sections 15(C), 27-A, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 332, 353, 186, 307, 427 IPC (Sections 465, 472, 422 IPC were added later on) at Police Station Sadar Fatehabad, District Fatehabad.

As per allegations in the FIR, on receipt of secret information, one Brezza vehicle was signalled to stop. However, the driver of said vehicle accelerated his vehicle and tried to run over ASI Surya Kant and ASI Jasbir Singh. However, they saved themselves by jumping aside. Thereafter, the police party managed to stop the Brezza vehicle. The driver disclosed his name as Pankaj Punia. On search of the

CRM-M-32710 of 2022

vehicle, 52 kilograms 230 grams of poppy husk were recovered. Pankaj Punia disclosed that he had purchased the contraband from one Jagdish and was to supply the same to Balwinder @ Bindia. It was found that the chasis number and engine number of Brezza Car were found tampered as the same were different from the record maintained regarding registration certificate of recovered Brezza vehicle. Pankaj Punia disclosed that he had purchased Brezza vehicle from Balwinder @ Bindia. Balwinder @ Bindia disclosed that he had purchased the vehicle with fake engine, chasis and registration numbers from Akshay Kumar and further sold it to co-accused Pankaj Punia. Akshay Kumar is alleged to have disclosed that he had purchased Brezza vehicle from one Rajbir @ Ghallu. On 17.04.2022, co-accused Rajbir @ Ghallu was arrested and on interrogation he suffered his disclosure statement to the effect that he had purchased Brezza vehicle from the petitioner.

Learned counsel for the petitioner submits that the petitioner has been implicated only on the basis of disclosure statement. He was arrested on 09.06.2022 and since then he has been in custody. Only role attributed to the petitioner is that he sold the vehicle in question having forged engine and chassis number to co-accused Rajbir, which was purchased by him through co-accused Sohel Khan from Bijnore in the month of November, 2019. Investigation in this case is complete. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Learned counsel further submits that co-accused of the petitioner, namely, Akshay Kumar;

CRM-M-32710 of 2022

Jagdish and Rajbir Singh @ Ghallu have been granted regular bail by this Court vide orders dated 12.05.2022 passed in CRM-M-16575 of 2022; 31.05.2022 passed in CRM-M-14161 of 2022 and 13.07.2022 passed in CRM-M-23284 of 2022, respectively, and Gampar Ram and Balwinder @ Bindia have been granted anticipatory bail by this Court vide orders dated 05.07.2022 passed in CRM-M-11134 of 2022 and CRM-M-4882 of 2022, respectively. Therefore, the petitioner may be released on regular bail.

On the other hand, learned State counsel has opposed the present petition.

Without commenting anything on the merits of the case, on the basis of parity and also bearing in mind the fact that the trial is not likely to be concluded in near future, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition is allowed. The petitioner Pardeep @ Piku @ Vicky is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

September 14, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No