

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

110

CRM-44226-2021 in/and CRM-M-37166-2021
DATE OF DECISION: 06.01.2022

KRISHAN

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manoj Tanwar, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

CRM-44226-2021

Heard through video conferencing.

This application is for preponing the date of hearing in the main case from 28.01.2022 to an early date.

Issue notice in the application.

At the asking of the court, Ms. Aditi Girdhar, AAG, Haryana accepts notice on behalf of the non-applicant/respondent.

Heard.

For the reasons stated in the application, the same is allowed and the main case is taken up today itself for hearing.

MAIN CASE

The petitioner is seeking regular bail in FIR No.440 dated 10.07.2021, under Section 20 of the NDPS Act, 1985, registered at Police Station City Rohtak, District Rohtak.

Learned counsel for the petitioner contends that it is alleged that 2 kg 'ganja' which is much below the threshold of commercial quantity of 20 kg was allegedly recovered from the petitioner. He, however, contends that the petitioner was falsely implicated as one of the police official had demanded bribe from the wife of the petitioner which has been audio

recorded. A copy of the CD is at Annexure P-1. The matter was marked to the DSP for enquiry. The petitioner is also implicated in three other cases wherein recovery was of small quantity of 'ganja'. He is in custody for over 6 months.

Learned State counsel upon instructions from ASI Kuldeep Singh, contends that the challan has been filed but charges are yet to be framed. She further states that the petitioner is also involved in other cases.

Heard.

In view of the above, especially when the petitioner is in custody for over 6 months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

At the time of release of the petitioner, the SHO, Police Station City Rohtak shall be informed. The petitioner shall appear in the police station every alternate Monday till the conclusion of the trial. He shall also furnish his mobile number to the SHO and keep his mobile phone location on.

(ANUPINDER SINGH GREWAL)
JUDGE

06.01.2022

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No