

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

CRM-M-41872-2021

Date of Decision: 7th February, 2022

Ankit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

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

Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition is filed for grant of regular bail to the petitioner in FIR No. 447, dated 8th November, 2020, under Sections 307 and 34 IPC; Section 25 of the Arms Act, 1959; and Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Rohtak Sadar, District Rohtak.
3. 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, there was recovery of 28 Kgs. of *Ganja Patti* and a knife from him. During investigation Ankit (petitioner) was named in a disclosure statement. It was stated that recovered *Ganja Patti* was to be supplied to him.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 22nd December, 2020. No recovery was made from him. He claims parity with co-accused Vishal @ Vicky.

5. 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 three more FIRs under various provisions of the IPC.

6. 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; 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.

7. The petition is allowed.

8. 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

7th February, 2022

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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**