

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

250

CRM-M-44051-2021

DATE OF DECISION: 24.01.2022

SANDEEP KUMAR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Bijender Dhankhar, Advocate for the petitioner.

Ms.Aditi Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.203 dated 30.06.2021, under Sections 15 of the NDPS Act, Sections 332, 353, 307 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Ellenabad, District Sirsa.

Learned counsel for the petitioner contends that it is alleged that 5 kg of poppy husk and a country made pistol was recovered from the petitioner. He, however, contends that the petitioner had been fired upon by the police party and himself had received gun shot injury. No police official was injured although they have alleged that a shot was fired by the petitioner which hit the bumper of their vehicle. The petitioner was seriously injured and had remained in hospital for about 25 days. The petitioner is in custody for over 5 months since his arrest on 22.07.2021 and is not involved in any other criminal case.

Learned State counsel, upon instructions from ASI Jasbir Singh, contends that challan has been filed but charges are yet to be framed. She also states that in view of the serious allegations against the petitioner, he is not

entitled to the concession of regular bail. She, however, is not in a position to controvert the submission of the learned counsel for the petitioner that the petitioner himself had been seriously injured in the incident while no police official has received any injury.

Heard.

In view of the above, especially when the recovery is of non-commercial quantity, the petitioner himself had been injured, he is in custody for over 5 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.

(ANUPINDER SINGH GREWAL)
JUDGE

24.01.2022

SwarnjitS

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