

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-4120-2024 (O&M)
Date of Decision:-1.2.2024

Vijay ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dilpreet Singh Gandhi, Advocate for the petitioner.

Mr. Munish Sharma, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
70	1.4.2023	Sadar Narwana, District Jind	21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 420, 489-A, 489-B, 489-C of Indian Penal Code and Sections 25(1-A), 29, 54, 59 of Arms Act

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged pursuant to receipt of secret information by the police to the effect that Ravi, Vijay, Rinku and Aman were travelling together in i20 car and were carrying contraband, fake currency and arms. Pursuant to receipt of said information, the police set up barricading and was able to intercept the car in question and the aforesaid 4 persons were apprehended by the police. It is further the case of prosecution that while Rinku was found in possession of

fake currency of various denomination amounting to Rs.20,000/-; petitioner – Vijay is alleged to have been found in possession of 20.2 grams of ‘heroin’ and one .315 bore country made pistol with one live cartridge; Aman was found in possession of 20.2 grams of contraband and Ravi was found in possession of .315 bore country made pistol.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that, in any case, even if the allegations are taken to be correct, the same would pertain to recovery of ‘non-commercial’ quantity of contraband and a country made pistol, which can easily be foisted upon anyone. Learned counsel has submitted that the petitioner as on date has been behind bars since the last about 10 months and that the trial has not made any headway till date.
4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed pursuant to receipt of secret information and country made pistol apart from contraband was recovered from him and also from his companions, his complicity is clearly evident. Learned State counsel has informed that the petitioner happens to be involved in one more registered for offence under Section 307 IPC. It has also been informed that although challan has been filed but charges are yet to be framed and as many as 27 PWs have been cited.
5. This Court has considered rival submissions addressed before this Court.
6. Without commenting anything as regards the veracity of allegations made against the petitioner, but having regard to the long custody and the nature of allegations particularly the fact that the allegations pertain to recovery of ‘non-commercial’ quantity of contraband and also that the trial has not even

commenced till date and as many as 27 PWs have been cited, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to consume time. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

1.2.2024
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No