

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

CRM-M-18591-2024 (O&M)
Date of Decision:- 23.04.2024

Rinku ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mayank Gupta, Advocate, for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR NO.	DATE	POLICE STATION	SECTION/S
70	01.04.2023	Sadar Narwana, District Jind	25(1-A), 29-54-59 of Arms Act, 21-61-85 of NDPS Act and 420, 489-A, 489B, 489C IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of 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 petitioner-Rinku was found in possession of fake currency of various denomination amounting to

Rs.20,000/-; 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 more than 1 year 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 4 more cases including three registered for offences under NDPS Act. 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.

23.04.2024
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(GURVINDER SINGH GILL)
JUDGE

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