

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

CRM-M-44009-2024 (O&M)
Date of Decision:-16.9.2024

Vipin Kumar @ Vipin Kumar Saini... Petitioner

Versus

State of Haryana... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Omkar Chauhan, Advocate for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
121	20.07.2024	Naggal, District Ambala	22, 29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. As per the case of prosecution, one Malkit was arrested by the police, who was found in possession of 528 capsules of ‘Tramadol’. It is further the case of prosecution that during the course of interrogation, he made a disclosure statement to the effect that he had purchased the said contraband from the petitioner.
3. Learned counsel for the petitioner submits that the petitioner is nowhere named in the FIR and came to be nominated on the basis of a disclosure



statement made by co-accused, the admissibility and veracity of which would be debatable. It has further been submitted that the petitioner has a clean record and is not involved in any other case.

- 4. Opposing the petition, learned State counsel submitted that since the name of the petitioner specifically figures in the disclosure statement of co-accused, his complicity is clearly evident. Learned State counsel has informed that the petitioner has been behind bars since the last more than 1½ months and that challan already stands presented. It has also been informed that the petitioner is not involved in any other case.
- 5. This Court has considered rival submissions addressed before this Court.
- 6. Having regard to facts and circumstances of the case particularly the fact that the petitioner is nowhere named in the FIR and came to be nominated on the basis of a disclosure statement and enjoys a clean record, further detention of the petitioner will not serve any useful purpose.
- 7. 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.

16.9.2024
Geeta

(Gurvinder Singh Gill)
Judge

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