

**IN THE COURT OF HARBIR SINGH DAHIYA, SESSIONS JUDGE,
PANCHKULA (UID NO. HR-0076)**

CNR No.
HRPK010047462022



Case No. BA/1561/2022

Presented on : 20-12-2022

Registered on : 20-12-2022

Decided on : 21-12-2022

Vishal Sharma, aged about 24 years, son of Shri Jai Parkash Sharma,
resident of House No.1261, Vishwakarma Colony, Pinjore, Tehsil Kalka,
District Panchkula.
(Presently confined in Central Jail, Ambala).

..... Applicant.

Versus

State of Haryana

..... Respondent.

FIR No.634 dated 19.11.2022
U/S: 21, 29 of NDPS Act, 1985
P.S. : Pinjore

**1st Application for Regular bail under Section 439
Cr.P.C.**

Present: Shri Hitender Chaudhary, learned counsel for the petitioner.
Shri Pawan Bishnoi, learned Public Prosecutor for the
respondent-State.

ORDER:

By way of present application, applicant – petitioner Vishal
Sharma, who is in custody in the case FIR mentioned above, has sought
regular bail.

2. Accused - applicant Vishal Sharma son of Jai Parkash Sharma was apprehended on 19.11.2022 at ITI Turn, Pinjore on the basis of suspicion. His personal search resulted into recovery of Heroin weighing 6 grams 10 miligrams, which was taken into police possession vide separate memo.

3. Learned counsel for the applicant-petitioner submitted that the applicant - accused has been falsely implicated; that he is in custody since 19.11.2022; that no further recovery is to be effected from the accused – applicant; and that further investigation / trial may take time to conclude; and so he be released on bail.

4. On the other hand, learned Public Prosecutor strongly opposed the bail application by submitting that the main supplier Shami son of Billu is yet to be arrested.

5. I have heard the submissions made by both the sides and have appraised the record.

6. There is recovery of 6 grams 10 miligrams of Heroin, which is slightly more than the small quantity i.e. 5 grams. The applicant – accused is in custody since 19.11.2022. Investigation / trial is likely to take a long time to conclude as one more accused is yet to be arrested, as stated by the Investigating Officer. Prosecution has not filed the challan till date. No useful purpose is going to be served by confining the accused

– applicant in jail for further period.

7. Considering the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, the applicant – accused is admitted to bail on his furnishing bail bond in the sum of ₹50,000/- with one surety of like amount to the satisfaction of this Court / learned Duty Judge. Surety must own immovable property. File be attached with the remand papers.

Announced in open Court:
21.12.2022.

sarla

(Harbir Singh Dahiya),
Sessions Judge, Panchkula
UID No. HR0076

Present: Shri Hitender Chaudhary, learned counsel for the petitioner.
Shri Pawan Bishnoi, learned Public Prosecutor for the
respondent-State.

Reply filed by the prosecution. Heard. Bail application is
accepted vide my separate order of even date. File be attached with the
remand papers.

Announced in open Court:
21.12.2022.
sarla

(Harbir Singh Dahiya),
Sessions Judge, Panchkula
UID No. HR0076