

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-20929 of 2015 (O&M)
Date of Decision: 9.7.2015**

Harpreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Satnam Singh Gill, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 46 dated 27.3.2015, under Sections 392/382/412/465/467/468/471/473/474/120-B IPC, Sections 25/54/59 of the Arms Act and Sections 22/61/85 of the NDPS Act, registered at Police Station Urban Estate, Patiala.

Notice to the Advocate General, Punjab.

On the asking of the Court, Mr. K.D.Sachdeva, Additional A.G. Punjab, accepts notice.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He places reliance on order dated 7.4.2015 (Annexure P-2) passed by the learned Additional Sessions Judge, on the application moved by the petitioner under Section 438 Cr.P.C., to the effect no criminal case is pending against the petitioner. In support of his contentions, he places reliance on a judgment of the Hon'ble Supreme Court in Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382 and order dated 14.3.2014 passed by this Court in CRM-M-

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1203 of 2014 (Ramesh Vs. State of Haryana), to submit that mere pendency of other criminal cases against the petitioner cannot be a relevant factor for denying the concession of bail pending trial to the petitioner. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Gurmit Singh, submits that when order Annexure P-2 was passed by the learned Additional Sessions Judge, Patiala, the investigating agency was not aware about the involvement of the petitioner in the present case. Involvement of the petitioner came to be disclosed on 6.5.2015 when the accused, including the present petitioner, were apprehended. He further submits since the petitioner is involved in many criminal cases in the State of Punjab as well as in the State of Haryana, being a habitual offender, he is not entitled for the concession of bail pending trial. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for bail pending trial.

At this stage, learned counsel for the petitioner submits that he does not intend to press this petition and the same may be dismissed as not pressed, at this stage.

Ordered accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

9.7.2015
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