

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

210

**Criminal Misc. No.M-41277 of 2015
Date of decision:28th January, 2016**

Vikas @ Vicky

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Chand Ram Olla, Advocate for the petitioner.

Mrs. Neelam Kashyap, DAG, Haryana.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner, namely, Vikas @ Vicky in case FIR No.849 dated 06.12.2014 registered under Sections 395, 397 of the Indian Penal Code and Section 25 of the Arms Act at Police Station City Hansi, District Hisar during the pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas the story of the prosecution is totally unbelievable and no recovery has been effected from him. The petitioner is in custody since 15.12.2014 and trial will take long time to conclude.

Learned counsel for the respondent-State has brought to the notice of the Court that two more cases are pending against the petitioner

and serious allegations are against him. One FIR is registered under Sections 392 IPC whereas another is under Sections 307/332/353 of IPC and Section 25, 54 and 59 of the Arms Act.

Heard arguments advanced by learned counsel for the parties and have also perused the allegations levelled against the petitioner in the FIR.

As per allegations levelled in the FIR, the petitioner was having pistol and two other co-accused were having knives. The petitioner and other co-accused have forcibly entered into the vehicle of the complainant and threatened him. Specific identification of the petitioner has also been given by the complainant. Not only the specific allegations are there but specific role has also been attributed to the petitioner. Moreover, two more cases are also pending against the petitioner which are described as under:

1. FIR No.1036 dated 27.12.2013 registered under Section 392 of the Indian Penal Code at Police Station City Hansi.
2. FIR No.449 dated 05.12.2014 registered under Sections 307/332/353 of the Indian Penal Code and Section 25, 54 & 59 of the Arms Act at Police Station Ratangarh (Rajasthan).

Keeping in view the nature of offence and involvement of the petitioner in two more cases, no ground is made out to grant regular bail to the petitioner at this stage.

Dismissed.

28th January, 2016
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(DAYA CHAUDHARY)
JUDGE