

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

Sr. No.204

CRM-M No.1288 of 2017
Date of decision: 16.05.2017

Javed @ Javid

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks the concession of regular bail in FIR No.4 dated 05.01.2015, registered under Sections 186, 353, 307, 34 IPC and 25, 54 and 59 Arms Act, at Police Station Meham, District Rohtak.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in the present case; he was arrested in January 2015; no useful purpose would be served keeping him in custody and that as only 04 out of the 20 witnesses cited by the prosecution have been examined till date, the trial is not likely to conclude in the near future.

Learned State counsel has opposed the grant of bail to the petitioner on the ground that the petitioner is a habitual offender who has been convicted in many cases including three cases under Section 174-A IPC, in which case he had been declared as a proclaimed offender.

On merits, learned State counsel submits that the petitioner while driving a vehicle broke through the barricades set up by the police and that his co-accused fired at the police personnel.

The list of cases in which the petitioner is facing trial/convicted as culled out from the custody certificate filed by the State are as under:-

Sr. No.	FIR No/DDNo./Date/U/s/PS	Status
1	FIR No.474/14, registered under Sections 395/427 IPC, at Police Station Tauru	Pending trial
2	FIR No.383/12, registered under Section 379 IPC, at Police Station Beri	Convicted on 09.08.2016
3	FIR No.66/13, registered under Section 379 IPC, at Police Station City Bhiwani	Convicted on 21.12.2016
4	FIR No.690/12, registered under Section 379 IPC, at Police Station City Bhiwani	Convicted on 21.12.2016
5	FIR No.15/15, registered under Section 174-A IPC, at Police Station Tauru	Convicted on 14.08.2015
6	FIR No.441/15, registered under Section 174-A IPC, at Police Station City Bhiwani	Convicted on 02.01.2016
7	FIR No.433/15, registered under Section 174-A IPC, at Police Station Cirty Bhiwani	Convicted on 02.01.2016

A perusal of the afore list of cases show that the petitioner is involved/convicted for a wide range of criminal activities. There are three cases of theft in which the petitioner stands convicted. Then there are three other cases, which were intiated against the petitioner for having fled from justice in criminal trials. In these cases also the petitioner was found guilty and convicted. In another case in which allegations against the petitioner are of having committed dacoity, the petitioner is facing trial. These cases are in addition to the present case in which the petitioner is charged with driving through barricades set up by the police to facilitate his co-accused to indulge in firing upon the police personnel.

In the light of the above facts, it is clear that on at least three occasions, the petitioner has been found guilty of having fled from justice as

In the present case also there are serious allegations against the petitioner of having broken the barricades set up by the police enabling his co-accused to fire upon the police officials.

In view of the above, I am not inclined to grant bail to him.

However, I am of the opinion that ends of justice would be served by directing the prosecution to conclude the prosecution evidence, of course subject to the cooperation by the petitioner within 09 months from the next date fixed before the trial Court.

The petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

May 16, 2017

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(i) Whether speaking/reasoned
(ii) Whether reportable

Yes/No
Yes/No