

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

CRM-M-38554-2017

Date of decision:-29.11.2017

Imran

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr. Satish Chaudhary, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by Imran – an accused in FIR No.409 dated 19.6.2017, under Sections 379-A read with Section 34 IPC and Section 25 of the Arms Act, registered with Police Station Hodal, District Palwal.

Briefly stated, the facts of the case as per prosecution version are that on 13.6.2017, ASI Akhtar Hussain heading a police party was present at bus stand Hodal in connection with crime detection, where complainant – Pankaj Sharma appeared and submitted a written application addressed to SHO, Police Station, Hodal contending therein that he is a registered architect and on 9.6.2017 he had received a SMS from someone asking him to draft a site-plan for his house, to which he agreed and as desired by the said client, he reached near MKM Girls College and kept waiting for him; that at about 4:45 p.m., a young man came to him stating that he had been sent by the client and that young man

sat in his car; that according to the instructions of the young man sitting in his car, he travelled up to a distance of 7-8 kms., then they left the main road and after crossing a brick kiln and a drain, they stopped in a field, where four persons were already standing; that as soon as he got down from his car and started moving towards them, suddenly they took out a pistol and snatched the key of his car besides a sum of Rs.80,000/-, two ATM cards (HDFC & ICICI), two credit cards (HDFC & ICICI) from him forcibly making him to disclose the PIN number of those cards and withdrew Rs.30,000/- from HDFC(ATM), Rs.20,000/- from ICICI (ATM) and Rs.20,000/- from HDFC credit card; that they had withdrawn an amount of Rs.60,000/- by swapping the cards thrice, in that way a total sum of Rs.1,90,000/- was withdrawn; that they had snatched two mobile phones i.e. Nokia E-72 and 4S from him; that then at 8:00 p.m., they had released the car after dropping him at an isolated place; that they started chasing him on two motorcycles; that out of fear, he rushed towards Delhi.

On the basis of that statement, formal FIR was registered. The case was investigated. Accused were arrested in this case and presently they are facing trial in the Court. The petitioner had moved an application for regular bail, which was dismissed by learned Sessions Judge, Palwal vide order dated 9.9.2017, as such he has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going

through the record.

I find that allegations against the accused – petitioner are very serious and grave, which do not warrant grant of regular bail to him, more particularly in the light of the fact that when he is involved in another criminal case bearing FIR No.420 dated 25.6.2017, under Section 398, 401 IPC and 25 of Arm Act, Police Station Hodal, District Palwal. Furthermore, an apprehension expressed by the State counsel that there are strong chances of the petitioner absconding and tampering with the prosecution evidence, if granted concession of bail cannot be taken lightly. During the course of investigation of the case, accused Ajruddin, Mustkim and Imran(present petitioner) were arrested on 29.6.2017. On being interrogated, while in police custody, they had suffered disclosure statement and demarcated the place of occurrence. They had also got recovered snatched phones, ATM and credit cards as well as part of the looted money besides one of motorcycle used in the incident.

Thus, finding no merits in the petition, the same stands dismissed.

However, while parting the discussion, the trial Court is directed to make earnest endeavour for expeditious disposal of the trial by granting short dates and conclude the same preferably within a period of six months from the date of receipt of certified copy of this order.

29.11.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No