

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

CRM-M No.9816 of 2017

Date of decision: 8th September, 2017

Ashish

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. S.S. Duhan, Advocate for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J.

This order shall dispose off regular bail application of petitioner Ashish (also known as Monu) in the present case registered by way of FIR No.351 dated 25.12.2014 under Sections 392/395/397/412/34 IPC and Section 25 of the Arms Act at Police Station Ellenabad, District Sirsa.

The brief facts brought to the notice of this Court are that on 25.12.2014 complainant Dharam Chand who then was working as Purchase Manager in M/s R.K. Cotton & Pressing Industries, at around 2.35/2.40 p.m. was sitting in his office along with his Accountant when two boys entered the office and at gun-point looted Rs.46.00 lacs in cash and thereafter fled away along with their accomplices who were waiting

outside the factory on a motor-bike, leading to arrest of the petitioner on 21.08.2015.

Contentions of learned counsel for the petitioner Mr. S.S. Duhan, Advocate are that similarly placed co-accused Sandeep has been granted similar relief by this Court vide orders dated 05.08.2016 and thus, in view of the principle of parity together with the fact that petitioner has never been apprehended at the spot nor identified and cannot be connected reasonably with commission of the offence.

Learned State counsel has forcibly opposed grant of relief firstly on the grounds that the petitioner is facing six similar cases and has already been convicted in one of the cases of robbery and that he is a dangerous desperado and is a big threat to the society at large and that if allowed bail would influence the witnesses because of his criminal background.

Appreciating the submissions, there are serious allegations against the petitioner of having committed a day-light robbery after forcible intrusion into the factory and looting cash at gun-point. Keeping in view his criminal track record and the apprehension of the State if allowed bail would influence the witnesses together with the fact that his case is totally different from that of his co-accused Sandeep with whom he is trying to seek parity. The recovery effected at the behest of the accused side and the Courts being tools of social justice as well, impels

this Court to decline the relief sought. Thus, finding no merit the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

September 8, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No