

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 12051 of 2018 (O&M)

Date of decision : 7.5.2018

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Sumit

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. M.R. Sharma, Advocate
for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General,
Haryana.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner – Sumit, an accused in FIR No. 278 dated 17.4.2017 for offences under Sections 392, 394, 397, 34, 120-B IPC and Sections 25/54 and 59 of the Arms Act, registered at Police Station Faridabad Central, District Faridabad.

Briefly stated facts of the case as per the prosecution story are that on 17.4.2017, when complainant Jitender, working as Assistant Manager at Bharat Petrol Pump, Faridabad, had gone to his office to keep the cash and after opening the shutter as well as the door, had entered the office, then two young men came from back side and kicked the complainant. Resultantly, the complainant fell

down on the ground and then those young men put pistol on his temple and snatched from him the bag containing Rs.1,52,870/-, besides taking away his mobile phone. The complainant raised the alarm. Five persons from petrol pump came there. While leaving the place, the assailants had also opened fire. In the meanwhile, a person came there with the motorcycle and both the criminals sat on that motorcycle and ran away. The matter was reported to the police.

Salman was arrested on 2.5.2017 and from his possession the Splender motorcycle, used in the incident and cash amount of Rs.8,500/- was recovered from him in pursuance of disclosure statement made by him. Accused Sumit was arrested on 16.5.2017 and a sum of Rs.12,000/- was recovered from his possession. That shows his involvement in the incident.

He had filed an application for regular bail before the Court of Sessions, which was assigned to the Additional Sessions Judge, Faridabad, who vide order dated 20.2.2018 dismissed that petition, as such the petitioner has approached this Court for the grant of similar relief, which request is being opposed by the State counsel.

I have heard, learned counsel for the petitioner, learned State counsel, besides going through the record of the case.

Incidents of snatching are increasing day by day. Resultantly, the law and order situation is getting deteriorated. It is not safe for the people to go out of their houses rather the snatchers and robbers are getting so much confident that they strike at the victims and manage to get away with the looted property without their being any reasonable chance of they being arrested. The petitioner is

shown to have a long criminal record, in as much as, he is reflected to be involved in the following criminal cases:-

1. FIR No. 842/2014 u/s 2/3 GMTP Act, Police Station Kasna, Gautam Budh Nagar.
2. FIR No. 125/2017 u/s 392 IPC, Police Station Knowledge Park, Gautam Budh Nagar.
3. FIR No. 360/2017 u/s 4/25 A. Act, Police Station, Kasna, Gautam Budh Nagar
4. FIR No. 64/2017 u/s 120B, 392, 411, 420, 473 IPC, Police Station Knowledge Park, Gautam Budh Nagar.
5. FIR No. 234/2017, u/s 392 IPC Police Station Binak, Gautam Budh Nagar.

If released on bail, there is every reasonable apprehension of his absconding and trying to tamper with the prosecution evidence, which is uncalled for. It is stated that the trial against him is pending which is likely to be concluded in near future. If found to be innocent, he would get a clean chit, but no case for grant of regular bail to him is made out.

Finding no merit in the petition, the same stands dismissed.

7.5.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No