

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.48763 of 2017 (O&M)

Date of decision : 16.1.2018

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Sachin Kumar

.....Petitioner

vs.

State of Haryana

.....Respondent

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

Present: Mr. V.P. Sangwan, Advocate for the petitioner

Mr. Gaurav Bansal, Assistant Advocate General,
Haryana

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H. S. Madaan, J.

This petition for pre-arrest bail has been filed by petitioner – Sachin Kumar an accused in FIR No. 177 dated 6.4.2015 for offences under Sections 420, 467, 468, 471, 120-B IPC and Section 25/54/59 of Arms Act, registered at Police Station Sadar Dadri, District Dadri.

Briefly stated, facts of the case as per prosecution story are that information was received by SI/SHO Virender Singh of Police Station, Sadar Dadri, on 6.4.2015 that some antisocial elements have obtained fake armed licences from Nagaland which included Jai Bhagwan s/o Prem Singh, Sandeep s/o Om Parkash, Sonu s/o Satpal and Ravinder Singh s/o Hira Singh; that as a matter of fact, those persons have neither gone to Nagaland, nor resided there. On the basis of such information, formal FIR was registered. The accused was arrested in this case. He had moved an application for regular bail, which was dismissed by the Additional Sessions Judge, Charkhi

Dadri vide order dated 15.11.2017, as such he has approached this Court craving for grant of similar relief, while the prayer is opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record and I am of the view that no ground for grant of regular bail to the petitioner is made out. The allegations against the petitioner are very serious, having direct bearing on the peace and tranquillity in the society, since persons obtaining weapons on the basis of fake arms licences usually are on the wrong side of the law. The petitioner is stated to be involved in two other criminal cases i.e. FIR No. 822/2001 under Section 392 and 411 read with Section 34 IPC at Police Station Lajpat Nagar, Delhi and FIR No. 518/2009, under Sections 399 and 402 IPC at Police Station Sadar Hisar. That means, he has got a past criminal record. The trial against him is going on. His guilt shall be determined during the said trial. The apprehension by State counsel that if the petitioner is granted bail, there is every likelihood of his absconding and even tampering with the prosecution evidence, cannot be brushed aside lightly.

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

(H.S. Madaan)
Judge

16.1.2018		
chugh	Whether speaking / reasoned	Yes/ No
	Whether reportable	Yes/ No