

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

CRM-M-616-2018

Date of decision:-23.2.2018

Gurdeep @ Deepu @ Deepa @ Deepak @ Surender

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr.K.S. Lakhanpal, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner -
Gurdeep @ Deepu @ Deepa @ Deepak @ Surender – an accused in FIR
No.70 dated 20.2.2017 for offences under Sections 379-A, 120-B, 171
IPC, registered with Police Station Murthal, District Sonipat.

Briefly stated, facts of the case as per prosecution story are
that FIR in this case was lodged by complainant Deepak son of
Kulbhushan Chaudhary, resident of House No.A/35, Pushpanjali Enclave,
Delhi – 35, who in his statement recorded with the police on 20.2.2017;
stated that on 19.2.2017 at about 6:00 p.m., he had left his house in a car
bearing No.DL-3FBW-0011 Skoda of black colour for going to Panipat;

that he was carrying Rs.38,09,000/- in a Frooti cardboard box; that he stopped his car at Sagar Ratna Murthal to get some snacks and the time was about 7:30 p.m. According to the complainant, he had taken the box containing money with him, then 5-6 young persons were standing near an Ertiga car of white colour talking with each other taking names as Santosh, Rachit and Surender; that while he was passing near them, then one boy told the others that cardboard box contained money and it should be snatched; that suddenly the boy who was addressed as Surender snatched the box containing money from the complainant and all the boys ran away from the spot along with the snatched money in an Ertiga car; that the car was without any number plate. After registration of the FIR, the matter was investigated. During investigation, accused Santosh Mishra, Rachit Sharma and Bijender were arrested in this case on 21.2.2017. During the course of interrogation, they suffered disclosure statements, confessing their committing the incident. Virender son of Krishan, resident of village Jahari, District Sonipat was also found involved in the conspiracy. He was arrested on 8.3.2017. While being interrogated, he suffered a disclosure statement. Co-accused Ravi @ Gorkha was arrested on 20.3.2017. In his disclosure statement, he admitted his guilt and demarcated the place of occurrence and got recovered Rs.4 lakhs in old currency from the house of present petitioner. A sum of Rs.1 lakh was recovered from the house of accused Ravi. The present petitioner was arrested in a case bearing FIR No.114 of 2017 under Sections 406, 420, 467, 468, 471 IPC in Dehradun. During interrogation, he suffered a disclosure statement and admitted his guilt. He

got recovered Rs.7,000/- in old currency notes. He had moved an application for regular bail but the same was declined by Additional Sessions Judge, Sonipat vide order dated 19.9.2017, as such, he has approached this Court with same request.

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

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has argued that the petitioner is not named in the FIR, rather his name has been cropped up in disclosure statement of co-accused; that co-accused of the present petitioner, namely, Santosh Mishra has been granted regular bail by learned Additional Sessions Judge, Sonipat vide order dated 18.5.2017; that similarly co-accused Rachit Sharma has been granted bail by the Court of Sessions vide order dated 20.5.2017, co-accused Bijender has been granted regular bail by this Court vide order dated 5.5.2017, co-accused Ravi @ Gorkha was granted regular bail by this Court vide order dated 31.5.2017; that the case of the present petitioner is at par with such co-accused, rather on better footings, therefore, he be also granted that concession.

Learned State counsel has opposed the request vehemently stating that the petitioner is involved in several other criminal cases, the details of which are as under:

1. FIR No.15/2012, under Sections 412, 406, 420 IPC,
Police Station Sadar, Patiala.

2. FIR No.38/2012, under Sections 406, 419, 420, 467, 468, 471, 506 IPC, Police Station Shahbad.

3. FIR No.236/2009, under Sections 420, 419, 406, 467, 468, 471, 120-B IPC, Police Station Pehowa.

After hearing the rival contentions of the parties, I find that the petitioner is involved in three more criminal cases, that means he has got a past criminal record. There is every possibility of his taking path of crime again, if released on bail and also to tamper with the prosecution evidence and even to abscond.

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

23.2.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No