

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 7176 of 2018 (O&M)

Date of decision : 26.3.2018

...

Kuldeep @ Panga

.....Petitioner

vs.

State of Haryana

.....Respondent

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

Present: Mr. Dinesh Bharadwaj, Advocate
for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General,
Haryana.

H. S. Madaan, J. (Oral)

This application for regular bail has been filed by the petitioner – Kuldeep @ Panga, an accused in FIR No. 429 dated 2.7.2017, for offences under Sections 398/401 IPC and Section 25 of the Arms Act, registered at Police Station City Hansi.

Briefly stated, the facts of the case as per the prosecution version are that on 2.7.2017 a Police Party from Police Station City Hansi, led by ASI Sanjay Kumar, travelling in a government vehicle was present at Sisai Culvert, Hansi, where ASI Sanjay Kumar received a secret information that three young persons armed with deadly weapons, were planning to loot the vehicles near Nehru

College, Hansi. The Police Party accordingly raided the disclosed place. One of the boys gave a signal to stop the vehicle; the other boy came to the ASI and put a pistol to him; the third one came with an iron rod. It was so since due to darkness, the visibility was very poor. However, when the culprits found that the persons travelling in the vehicle were police officials, they tried to run away but they were apprehended and upon enquiry they disclosed their names and addresses. Iron rod was recovered from accused Kuldeep – present petitioner, a pistol of .315 bore was recovered from accused Manjit and one torch was recovered from accused Dinesh. The accused were arrested. Formal FIR was got registered and thereafter the matter was investigated.

The challan has been filed and as stated by Learned State counsel, two witnesses out of the 10 PWs cited, have been recorded and the next date of hearing is fixed as 17.4.2018 for prosecution witnesses.

Petitioner – Kuldeep @ Panga, accused had moved two applications for grant of regular bail in the Court of Sessions, but was unsuccessful to get the bail on both the occasions, as such he has approached this Court asking for grant of similar relief, which is being opposed by the State Counsel.

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

The allegations against the petitioner are quite serious, not only that as per the custody certificate placed on the file, he is involved in 38 other criminal cases. With such criminal record it

would not be proper and appropriate to grant the concession of bail to him, since there are reasonable chances of his absconding and tampering with the prosecution evidence.

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

However, while parting with this judgment, the trial Court is directed to conclude the trial expeditiously by giving short adjournments, preferably within a period of six months from the date of receipt of a copy of this order.

26.3.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No