

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 8650 of 2018 (O&M)

Date of decision : 22.5.2018

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Iqbal

.....Petitioner

vs.

State of Haryana

.....Respondent

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

Present: Mr. Anirudh Singh Shera, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner – Iqbal, an accused in FIR No. 853 dated 4.10.2017, for offences under Section 13-20-15 of HGSG Act and Section 25 of the Arms Act, 307 IPC, registered at Police Station City Sector 7, Faridabad.

Briefly stated, facts of the case as per the prosecution story are that on 4.10.2017, a Police Party from Police Station Sector 7, Faridabad, was present near chowk of Sector 4/8 in connection with official duties, where complainant Vikas Sharma came and submitted a written complaint alleging therein that he is President of Gau Raksha Yuva Vahini Trust and he alongwith his several colleagues while on raid were present at Sector 8 bye pass road Kali Mandir; that at about 1.00 A.M. in the area of Sector 8, they saw a Scorpio vehicle of blue colour, in which 3-4 young persons were

trying to put a calf and when the complainant and his colleagues objected, those young persons pelted stones at them and opened fire at them. The accused alongwith vehicle ran away. On the way they threw out the calf. Formal FIR was registered.

The petitioner was arrested in this case. He had approached the Court of Sessions by way of filing a petition for grant of regular bail, which was assigned to Additional Sessions Judge, Faridabad, that was dismissed vide order dated 23.1.2018, as such he has approached this court craving 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.

Learned State counsel has contended that besides this case, petitioner is involved in 7 other criminal cases, as per details given below :-

- 1) FIR No. 681 dated 24.8.2013, u/s148/149/302 IPC, Police Station Sector 7, Faridabad.**
- 2) FIR No. 245 dated 15.4.2015, u/s 379/307 IPC, Police Station Saran, Faridabad.**
- 3) FIR No. 177 dated 14.4.2015, u/s 307 IPC, Section 25 of Arms Act, Police Station Sector 55, Faridabad.**
- 4) FIR No. 294 dated 21.6.2015, u/s 379/307/323/34 IPC, Police Station Sector 55, Faridabad.**
- 5) FIR No. 119/2009, u/s 379 IPC, Section 8/15 DCP Act, Police Station Mehrauli, Delhi**

**6) FIR No. 242/15, u/s CS Act, Police Station Saran,
Faridabad.**

**7) FIR No. 48/2017, u/s 398/401 IPC, Police Station
Pindavar Nuh.**

One of the case is under Section 302 IPC i.e. for murder, three cases of attempt to murder and one under NDPS Act. That means, the petitioner has got a criminal record. In case he is released on bail, there is every likelihood of his taking to the path of crime again, absconding and trying to tamper with the prosecution evidence. Trial against him is going on which is likely to be completed in near future.

No case for grant of regular bail is made out. The petition stands dismissed.

22.5.2018
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**(H.S. Madaan)
Judge**

Whether speaking / reasoned Yes / No

Whether reportable Yes / No