

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-10066-2019

Date of decision: 08.03.2019

Krishan @ Lambardar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. KS Dhanora, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Krishan @ Lambardar, in case FIR No. 543 dated 11.11.2018 registered under Section 25 of the Arms Act and Section 61 of the Excise Act, 1914, Police Station Tosham, District Bhiwani.

According to the prosecution, on 11.11.2018, on the basis of secret information, the petitioner along with his co-accused-Vikram was apprehended by the police party. On their personal search, one pistol 9 mm loaded with live cartridge was recovered from the petitioner whereas one pistol 32 bore loaded with live cartridge, was recovered from his co-accused-Vikram. In addition thereto, 9 bottles of english liquor and five bottles of beer, were also recovered from their vehicle.

Relying upon judgment of Apex Court in **Maulana Mohd.**

Amir Rashdi Vs. State of U.P. and another, 2012(1) SCC (Cri) 681 and

of this Court in CRM-M-1203-2014, **Ramesh** Vs. **State of Haryana**, decided on 14.03.2014, learned counsel *inter alia* contends that pendency of more cases against the petitioner is no ground to reject his bail. Petitioner has falsely been implicated in the instant case. He is in custody since 11.11.2018. Conclusion of trial would take sufficient time. No useful purpose would be served by detaining him behind bars.

On the other hand learned State counsel vehemently refuting the submissions of learned counsel for the petitioner contends that petitioner is a habitual offender of committing heinous crimes.

Having given thoughtful consideration to the rival submission, this Court is not inclined to grant bail to the petitioner, inasmuch as, he is a hardcore criminal, habitual of committing repeated crimes of robbery, dacoity, etc. There is no dispute with the law laid down by the Apex Court in **Maulana Mohd. Amir Rashdi's case (supra)**, but considering the fact that petitioner is a dreadful criminal, habitual of committing heinous crimes, therefore, no benefit of the same whatsoever can be given to him.

In view of discussion made above, the instant petitioner, being meritless, is dismissed.

March 08, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No