

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-53338 of 2018

DATE OF DECISION:07.03.2019

Parmod @ Bhinda

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. MS Kathuria, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. for grant of regular bail has been filed by petitioner-Parmod @ Bhinda in case FIR No. 162 dated 14.6.2017 registered under Sections 307,34,379-B,506 IPC and Section 25 of the Arms Act at Police Station Farrukh Nagar, Gurugram.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, he was not involved. The FIR was registered against unknown persons and even no physical description of the petitioner was given. Learned counsel further contends that statements of complainant and injured have been recorded and both of them have not identified the petitioner. Co-accused of the petitioner, namely, Atul has already been released on regular bail and the petitioner is in custody for the last one year and seven months.

Learned counsel for respondent-State has opposed grant of bail to the petitioner on the ground that out of total six accused, five are in custody and one has been declared P.O. Learned counsel contends that six more cases are there against the petitioner and recently also one more FIR has been registered against him as he tried to escape from the custody of the police while attending the Court proceedings.

Learned counsel for the petitioner has relied upon the judgment of Hon'ble the Apex Court in the case of **Maulana Mohd. Amir Rashadi Vs. State of U.P. and another** 2012 (1)RCR (Criminal) 586 and submits that number of cases are not to be considered at the time of grant of bail.

Keeping in view the stage of trial as out of total 34 prosecution witnesses, 23 have already been examined and date before the trial Court is fixed for 25.3.2019; also the facts that out of total 6 accused, 5 are in custody and one has been released on bail but subsequently declared as PO; serious allegations under Sections 307 and 379-B IPC are there against the petitioner and seven more cases are there against the petitioner, no ground is made out to grant bail to the petitioner.

Dismissed.

However, the trial Court is directed to make all efforts to conclude the trial preferably within a period of three months.

March 07, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No