

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

CRM-M-2352-2020

Date of decision:-11.2.2020

Vikram @ Tarzan

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr.S.S. Gill, Advocate
for the petitioner.

Ms.Harpreet Kaur, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by Vikram @ Tarzan – an accused in FIR No.194 dated 18.10.2014, under Sections 395/365/397/427 IPC (Sections 468, 471, 201 and 216-B IPC added later on) and Section 25 and 27 of Arms Act, registered at Police Station Nathu Sari Chopta, District Sirsa.

Briefly stated, facts of the case are that FIR in question was registered on the basis of statement of Pawan Kumar son of Ram Singh, resident of Chaharwala, aged about 29 years, working as a Salesman on Balaji Petro Service Station situated at Chaharwala to Jogiwal Road belonging to Rajesh son of Om Parkash, resident of Madhosinghana.

In his statement to the police, the complainant Pawan Kumar stated that Ravinder son of Dharampal and Ram Niwas son of Atma Ram had been working along with him at the said petrol-pump; on the intervening night of 17/18.10.2014 at about 12:30, while he was sleeping in his room, then five unknown young boys entered his room by breaking open the lock; Ravinder was sleeping on the roof of the office, whereas Ram Niwas had gone home; on hearing noise, the complainant woke up, then those intruders manhandled him giving him slap and fist blows; they snatched his Chinese mobile; three of them were having pistols in their hands; one was having short barrel gun, whereas fifth one was empty handed; one of those boys pointed the gun on his head and threatened him that if he made noise then he would be done to death; he asked the complainant to give money whatever he was having; the complainant stated that he was not having any money with him; then those boys took key of the office and almirah and took the complainant along with them to office, broke the door of the office by fist blow; they forcibly got opened the almirah from the complainant and pick out Rs.4,000/- from almirah; thereafter, they demanded key of locker; the complainant replied that he was not having the key; those boys with muffled faces then picked up the locker having Rs.1,98,000/- and put it in the Ritz Car bearing No.HR20-Y-5969; they broke the CCTV camera and LCD and took the complainant along with them in the car; the car was started; they had wrapped eyes of the complainant with cloth; they made the complainant leave at a place between village Chaharwala and Sakarmandori near canal, returning his mobile, sim card and ran away along with the mobile; out of those boys,

one was very healthy, whereas others were of normal physique.

The police was accordingly informed. After registration of the FIR, the matter was investigated. The involvement of the present petitioner in the incident was found to be there. As such, he was arrested in this case. However, on 12.11.2018 when the case was fixed for prosecution evidence, then the accused absented from the Court with the result his bail bond and surety bond were cancelled and forfeited to the State. However, he surrendered in the Court on 28.3.2019 and moved an application for regular bail, which was however dismissed by Additional Sessions Judge, Sirsa vide order dated 16.5.2019, as such, the petitioner has approached this Court with the same request, which is being resisted by the State counsel.

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

The allegations against the petitioner are very grave and serious. In the petition itself, the petitioner has given details of 11 criminal cases registered against him, which are for very heinous offence like attempt to murder, illegal confinement, theft, dacoity etc. That goes to show that he is a person with criminal bent of mind. Learned Additional Sessions Judge, Sirsa while dismissing the petition for regular bail has observed that petitioner was granted concession of bail. However, he absented from the trial and further during the period he remained on bail, two more criminal cases in respect of serious offences were registered against him i.e. FIR No.146 dated 30.11.2017, under Sections 285, 323, 427, 452, 506 IPC and 25 of Arms Act, Police Station N.S. Chopta and

FIR No.91 dated 29.6.2018, under Sections 393/34 IPC, Police Station N.S. Chopta.

Therefore, considering all the facts and circumstances of the case, I am of the view that it is not a fit case to grant concession of regular bail to the petitioner. The apprehension expressed by the State counsel that if petitioner is granted bail, there is every likelihood to his absconding and even tampering with the prosecution evidence cannot be brushed aside lightly.

Therefore, finding no merit in the petition, the same stands dismissed.

11.2.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No