

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-5553-2020
Decided on : 29.07.2020

Atik

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S.Mamli, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.17 dated 17.01.2014 registered under Sections 395 and 458 IPC at Police Station Badshahpur District Gurugram.

Learned counsel for the petitioner inter alia contends that the petitioner was not named in the FIR in question and has been falsely implicated in the case in hand on the disclosure statement of the co-accused, which was recorded before the police in another FIR No.79 dated 19.02.2014. It has further been contended that the petitioner was arrested on 08.05.2019 and till date only four out of the twenty three prosecution witnesses cited have been examined so far. Hence, the trial is unlikely to conclude in the near future.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has apprised this Court that the petitioner was declared a proclaimed offender and could be arrested in the instant case

only on 08.04.2019. She on instructions from SI Rohtash submits that the petitioner is involved in three more criminal cases.

Heard.

In the facts and circumstances of the case, I do not deem it a fit to extend the concession of regular bail to the petitioner. No doubt, the petitioner was nominated as an accused on the disclosure statement made by the co-accused, however, his involvement in other criminal cases reflects his criminal antecedents, which does not warrant acceptance of his prayer for the grant of the concession of regular bail.

Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

29.07.2020

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No