

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

CRM-M-20164-2020

Date of decision:-29.7.2020

Vikram @ Tarzan

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr.Chanderhas Yadav, Advocate
for the petitioner.

Mr.Karan Sharma, AAG, Haryana.

H.S. MADAAN, J.(ORAL)

Case taken up through video conferencing.

This statedly second petition(as a matter of fact third petition)
for regular bail has been filed by Vikram @ Tarzan – an accused in FIR
No.194 dated 18.10.2014, under Sections 365/395/397/427/506/468/
471/216-A IPC and Section 25 of Arms Act, registered with 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 Jogiwala 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.

The petitioner had moved a similar petition for grant of bail earlier bearing CRM-M-2352 of 2020, which was dismissed vide order dated 11.2.2020, copy of which has been attached as Annexure P-4. Now the petitioner has approached this Court again for grant of similar relief, which request is being resisted by the State counsel.

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

There has not been any noticeably big change in the circumstances after dismissal of the first application for bail. The trial against the petitioner is going on. Although it is stated that on account of Corona Pandemic, the proceedings have been held up for the time being but hopefully things will be back to normal in near future. Keeping in view the gravity of offences for which the petitioner is booked and the fact that he is involved in several other criminal cases i.e. FIR No.405

dated 25.10.2014 for the offences under Sections 395, 342, 427, 201 IPC and 25 of Arms Act, registered with Police Station Sadar, Sirsa and FIR No.519 dated 13.10.2014 for the offences under Sections 395 IPC and 25 of Arms Act as pleaded in para No.6 of the petition itself, showing that he is a habitual criminal, no case for grant of regular bail is made out.

Furthermore, the petitioner has made a wrong statement in the petition that it is a second petition for grant of regular bail when as a matter of fact as reported by the office, this is a third petition since he had filed the first petition for regular bail i.e. CRM-M-24616 of 2019, which was dismissed by this Court vide order dated 10.9.2019. For that reason also, the petitioner is also not entitled to grant of discretionary equitable relief of regular bail.

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

29.7.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No