

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

CRM-M-22507-2020 (O&M)

Date of decision: 29.10.2020

Suhail @ Sohail

...Petitioner

Versus

UT Chandigarh

...Respondent

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

Present: Mr. Kamal Jit Rana, Advocate for the petitioner.

Mr. Ashu Mohan Punchhi, PP, UT Chandigarh with  
Mr. Anupam Bansal, Addl. PP UT Chandigarh.

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**H.S. MADAAN, J. (Oral)**

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Suhail @ Sohail, aged about 19 years, an accused in FIR No.40 dated 15.03.2020, for offences under Sections 356, 379-B and 34 IPC, registered with Police Station Sector-34, Chandigarh.

Briefly stated facts of the case as per prosecution story are that on 15.03.2020, at about 11 PM, complainant Guddu Shah, aged about 21 years son of Pati Ram Shah, resident of Burail, Chandigarh, along with his friend Kamlesh was taking a walk and when they had reached near a grocery shop in the street next to their building at about 11.30 PM, four boys rushed towards them from the opposite side, surrounded them, pressed their necks with their arm and started beating

them up, asking them to take out whatever valuables they were having, otherwise, they would be strangulated by such assailants; two of the assailants pressed necks of complainant and Kamlesh, whereas two accomplices were beating them up and took out valuables in the form of mobile phones, important documents and currency notes. Thereafter, they left with the booty. Formal FIR was recorded; Ajay @ Babuganga, Sohail @ Chottu @ Billa, Nitin @ Tira and Rajaram @ Raja were arrested in this case. Complainant identified all four of them to be the assailants robbers. Four of them got the recoveries effected from their possession. On completion of investigation and other formalities, the challan against them has since been filed.

Petitioner/accused Suhail @ Sohail had filed a petition for grant of regular bail before Court of Sessions at Chandigarh, which was dismissed by Addl. Sessions Judge, Chandigarh, vide order dated 17.07.2020. As such, he has approached this Court, craving for grant of similar relief, which request is being opposed by learned counsel for UT Chandigarh.

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

The allegations against the petitioner are very grave and serious. He along with his other culprits had been identified by the complainant. The petitioner along with his co-accused had got the recovery effected from his possession, showing his involvement in the incident. As per custody certificate filed by counsel for UT Chandigarh, he is involved in another case of similar type bearing FIR No.61 dated

09.04.2020, for offences under Sections 380, 457, 411 and 34 IPC, registered with Police Station Sector 34, Chandigarh, showing that he is a habitual criminal. The apprehension expressed by counsel for the respondent that if released on bail, there is possibility of the petitioner trying to give threats and inducement to the prosecution witnesses and to abscond even, in the process delaying the trial, cannot be brushed aside lightly. Thus, no case for grant of regular bail to the petitioner is made out. The petition being without merit stands dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

29.10.2020

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**(H.S. MADAAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |