

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

CRM M-28647 of 2020 (O&M)

Date of Decision: September 23, 2020

Sakeel @ Pahalwan		Petitioner
	Versus	
State of Haryana		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. M.D. Khan, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Sakeel @ Pahalwan has come up before this Court in this first regular bail application moved under Section 439 Cr.P.C. in FIR No. 0694 dated 12.11.2019 registered under Sections 25 of the Arms Act and Sections 224,

307, 323, 34 and 379 IPC (later on added offence under Sections 394 and 397 and deleted section 379-B and 323 IPC) registered at Police Station City Sohna, District Gurugram.

The present case was got registered by complainant Lalit Kumar on the allegations that on 12.11.2019 he parked his car near a gym and after some time saw three young boys sitting in white Scorpio vehicle parked near the car and trying to break open the locks of his car. When the petitioner rushed to save his vehicle one of the accused attacked with an iron rod and all these accused in the meanwhile scuffled and snatched Rs.35,000/- from the pocket of the complainant. Hearing the commotion people rushed and apprehended one of the accused at which his accomplices Mubarik fired at the complainant and which sneaked past the neck of the complainant. Thereafter, the accused ran away. Identity of the boy was disclosed to be Sakeel @ Pahalwan petitioner.

Mr. M.D. Khan, learned counsel for the petitioner has contended that the petitioner is behind the bars since 25.11.2019 and is a non injury case and nothing has been recovered from his possession. Submitting that in spite of submission of challan even charges have not been framed against him.

Mr. Baljinder Virk, DAG, Haryana has strongly opposed the bail claiming that the petitioner is habitual criminal

facing 12 similar criminal cases and if allowed bail he would abscond and commit more crimes. Though on behalf of the petitioner side claim has been laid that the petitioner stands acquitted in most of these cases does not have any bearing on the present case.

Keeping in view that the petitioner has been apprehended at the spot and he apparently is facing similar criminal charges in 12 cases and, therefore, in view of the likely threat to the society by the conduct of the petitioner, this Court does not feel inclined to allow the bail.

Petition stands dismissed accordingly.

September 23, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No