

CRM-M-30571-2020

Date of Decision: 07.10.2020

Raj Kumar @ Suraj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURIPresent: Mr. Vineet Chaudhary, Advocate
for the petitioner.

Ms. Harpreet Kaur, Asst. AG, Haryana.

ARCHANA PURI, J.(ORAL)

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

Fresh custody certificate giving the details about the involvement of accused in number of cases, decided or pending against the petitioner has been filed and the same is taken on record.

Heard the bail petition.

The present petition has been filed under Section 439 Cr.P.C. seeking concession of regular bail in case FIR No. 141 dated 22.07.2020 under Section 174-A IPC, registered at Police Station Bilaspur, District Yamuna Nagar, Haryana.

An FIR bearing no. 155 dated 08.07.2014 under Sections 379, 411 IPC at Police Station Bilaspur was registered and the petitioner was nominated as an accused in the present petition. However, after the completion of the investigation, charges were framed and during the course of trial faced by the petitioner in the aforesaid FIR, he evaded the process of

law and ultimately was declared as a Proclaimed Person and thereupon, the present FIR bearing No. 141 dated 22.07.2020 was registered.

Now, it is submitted by learned counsel for the petitioner that the petitioner is in custody since 22.07.2020. His wife is not well and he has aged parents to look after.

On the contrary, learned State counsel has resisted the claim for bail and she submits that the accused is a habitual offender as is evident from the involvement of the accused in various cases, the details whereof have been given in the custody certificate.

Perusal of the custody certificate reveals that apart from the present case, accused is involved in as many as 15 other cases. Only one case bearing FIR No. 128 dated 05.06.2014 under Sections 454, 380 IPC has been decided, in which the accused has been convicted. However, qua the remaining cases which have been detailed in the custody certificate, are still pending. Considering the number of criminal cases pending against the petitioner, it is quite obvious that he is a habitual offender and has also hoodwinked the process of law while facing trial in the aforesaid FIR bearing No. 155. Thus, the chances of abscondance of the petitioner (if released on bail) can not be ruled out.

Precisely, on this ground, at this stage, no case is made out to grant concession of bail to the petitioner.

Accordingly, the petition is dismissed.

(ARCHANA PURI)
JUDGE

October 7, 2020

Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No