

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

CRM-M-3309-2021

Date of Decision: 24.09.2021

Manjeet Singh @ Mota

.....Petitioner

Versus

State of Haryana

....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikram Punia, Advocate, for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG, Haryana.

Harnaresh Singh Gill, J.

Case is taken up for hearing through video conferencing.

Status report filed by way of Affidavit dated 20.09.2021 of the Assistant Commissioner of Police, Badkhal, District Faridabad, filed in the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.68 dated 01.02.2020, registered at Police Station Dabua Faridabad, District Faridabad, under Sections 148, 149, 224, 225, 307, 333, 353, 120-B and 216 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner has been indicted on the basis of the disclosure statement made by co-accused Naresh and that neither any gun-shot was fired by the petitioner nor any injury was attributed to him. It is further submitted that co-accused Joginder Singh @ Jogi, stands granted the concession of regular bail by this Court vide order dated 03.09.2021. As regards the other cases, registered and/or pending against the petitioner, learned counsel submits that mere fact of multiple FIRs, is no ground to decline the concession of bail to the petitioner. In this regard, he relies upon the judgment of the Hon'ble Supreme Court in Criminal Appeal No.159 of 2012 - Maulana Mohd. Amir Rashadi Vs. State of U.P. & Anr., decided on 16.01.2012.

On the other hand, learned State counsel points out that the petitioner was the driver of the Scorpio Vehicles, in which co-accused Naresh, Anshul and Ravi were sitting and co-accused Anshul opened fire at the police party and the said Scorpio vehicle had been stolen from Gujarat. While referring to the status report, it is pointed out that apart from the present FIR, five more criminal cases are pending against the petitioner, whereas in the seventh one, he stands acquitted. Thus, the criminal antecedents of the petitioner does not warrant grant of the concession of regular bail to the petitioner.

I have heard the learned counsel for the parties.

There is no denying the fact that at present, six cases (including the present one) are pending against the petitioner. The petitioner is a habitual offender having criminal antecedents and in case released on bail, there are chances of his absconding the trial and getting himself involved in other cases. Still further, taking into consideration the multiple criminal cases registered and/or pending against the petitioner, the order granting bail to co-accused Joginder Singh @ Jogi, is of no help to the petitioner. The judgment of the Hon'ble Apex Court in Maulana Mohd. Amir Rashadi' case (supra), too is of no help to the petitioner as in the said case, the accused had earned acquittal in most of the cases. Still further, it was held by the Hon'ble Apex Court that the Court can find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing from the jurisdiction of the Court etc.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

24.09.2021
ds

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No