IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

****

CRM-M-7072-2021
Date of Decision: 18.02.2021

Lovepreet

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Deepak Bhardwaj, Deputy Advocate General, Haryana.

****

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for grant of bail in FIR No. 39, dated 24th April, 2018 under Section 379-A of the Indian Penal Code, 1860 ('IPC') (Section 411 of IPC added later on), registered at Police Station GRP Hisar, District GRP Ambala Cantt.

The FIR was registered at the behest of Sandeep Singh. It was stated that on 2nd April, 2018, he was travelling in train No. 13008. While wife of the complainant was sleeping, three boys snatched purse containing Rs. 2000/-, aadhaar card, marriage certificate, ATM card, one gold ring, *mangalsutra* and mobile phones. The petitioner was arrested. He was granted bail on 23rd August, 2018 by the Additional Sessions Judge, Fatehabad. The petitioner absented himself and the bail was cancelled on 11th

PANKAJ BAWEJA
2021.02.18 00:07
I attest to the accuracy and
integrity of this document

January, 2019.

Mr. Amit Choudhary, learned counsel for the petitioner submits that petitioner has now been arrested and he undertakes to appear before the trial Court as and when required.

Mr. Deepak Bhardwaj, Deputy Advocate General, Haryana submits that petitioner had misused the bail granted, he was indulging in criminal activities while he was on bail. The submission is that four FIRs i.e. FIR No. 3/2019 under Section 379 IPC, No. 22/2019 under Section 380 IPC, No. 29/2019 under Sections 380 and 411 IPC and No. 32/2019 under Section 398 IPC, registered at Police Station GRP Agra Cantt., were registered after he was granted bail. He submits that if the petitioner is granted bail he is likely to abscond. His conduct is evident from the fact that the plea taken before the Additional Sessions Judge, Fatehabad in the impugned order was that petitioner was in custody at Agra Jail on 11th January, 2019, hence he could not appear before the trial Court. The said fact was verified and it was found that he was in custody since 21st January, 2019 and not 11th January, 2019.

After grant of bail, petitioner got involved in four other FIRs of somewhat similar nature as of present case. The plea before the Additional Sessions Judge, Fatehabad was raised that due to petitioner being in custody in Agra Jail could not appear before the trial Court was found false. The said finding has not been challenged in the pleadings of the present petition. Considering the antecedents of the petitioner and his conduct, no case is made out for grant of bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

18th February, 2021
pankaj baweja

1. Whether speaking/ reasoned : Yes
2. Whether reportable : Yes

PANKAJ BAWEJA
2021.02.18 00:07
I attest to the accuracy and
integrity of this document