

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM No. M-8136-2021

Date of Decision : 22.04.2021

Sandeep @ Pahal

....Petitioner

Versus

State of Haryana

....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Munish Garg, Advocate for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 215, dated 23.08.2017, under Sections 302, 307, 120-B, 34 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Israna, District Panipat.

Learned counsel for the petitioner argues that the allegations alleged against the petitioner are false and he has wrongly been roped in the present case. Learned counsel for the petitioner submits that the petitioner is already behind the bars since 14.11.2017 and, therefore, the petitioner be granted the benefit of regular bail.

Learned State counsel submits that the role of the petitioner has already been established in the investigation and the challan has been presented. Further, petitioner is involved in 25 cases, which relates to the various offences including Sections 302 and 307 IPC.

Learned counsel for the petitioner concedes that there were 25

cases against the petitioner but submits that out of 25 cases, petitioner has been acquitted in 15 cases, in 5 cases, petitioner is on bail and in the remaining cases, petitioner has already been convicted.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the allegations against the petitioner mentioned in the FIR are very serious allegations as one person lost his life and other person was seriously injured. Allegations against the petitioner are serious and the facts shows that the background of the petitioner is such that prima-facie, he was working as a hitman. No doubt the petitioner has been acquitted in some of the cases but nothing has been brought on record to show that the acquittal was honourable and not due to the fact that the witnesses had turned hostile. The conviction of the petitioner in 5 cases is not disputed by the learned counsel for the petitioner. While granting the bail, this Court has to ensure that whether the accused will maintain a good conduct while on bail and will not influence the witnesses and in the facts and circumstances of the present case, this Court has serious doubt whether the petitioner, who is a history sheeter, will maintain good conduct while on bail as present allegations have come into being while the petitioner was on bail.

In the facts and circumstances of the present case, this Court is of the view that keeping in view the criminal background of the petitioner, the grant of bail to the petitioner will be prejudicial to the interest of the society at large. Hence, no ground is made out to grant the petitioner the benefit of regular bail.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

April 22, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE
Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No