

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

224

CRM-M-29082-2020

Date of Decision: 07.09.2021

Bittu @ Labbal

...Petitioner

Versus

UT Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. A.P.Singh, Advocate, for the petitioner.

Mr. Abhinav Gupta, Addl. PP, UT Chandigarh,
assisted by SI Malkit Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.187, dated 22.10.2019, Police Station Mauli Jagran, District Chandigarh, under Sections 365, 307, 342, 506, 147, 148, 149 IPC and Section 25 of Arms Act.
2. The FIR in question was lodged at the instance of Rajat, wherein it has been alleged that on 21.10.2019 he had gone to meet his uncle at Mauli Jagran Complex. At about 10.30 pm. when he was returning back to his home at Maloya, he met Constable Ajay and at that time some boys of Rajiv Colony, Panchkula, namely Labbal and Vicky accompanied by 2-3 of their friends came there and started hurling abuses while stating that the complainant was an

agent of the police and had come there for the purpose of spying. Ajay reasoned out with them and thereafter left in his car. However, Labbal and his companions kidnapped the complainant and gave beatings to him and took him to a room in Rajiv Colony, Panchkula, where they gave kick blows and punches to him and also gave beatings to him with a stick. The complainant was tied with a rope and the accused initially left the room, but came back and at that time he saw that Labbal was carrying a country made pistol and he loaded the said pistol and pointed the same towards the mouth of the complainant and pressed the trigger, but luckily the pistol did not fire and thereafter the accused again gave beatings to him and kept him confined there and later left after locking the room from outside.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that falsity would be evident from the CCTV footage, as may be retreated from the CCTV camera installed in the police station ad that he had already moved an application in this regard before the trial Court. It has further been submitted that in any case the petitioner has been behind bars for a substantial period of 1 year and 10 months and as such, deserves to be released on bail.
4. On the other hand, learned Addl. PP representing UT Chandigarh has submitted that the petitioner is a habitual offender having been involved in 11 cases out of which 6 are pending. It has been

informed that while he stands acquitted in 3 cases, but stands convicted in 2 cases out of said 11 cases. It has also been informed that the report of the Armourer has been received as per which the pistol was in working condition and even as per the report of the FSL, the blood found on the *butt* of the pistol was found to be matching with the blood of the victim.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner seems to be a habitual offender and that the evidence collected by the police clearly shows his involvement, this Court does not find any ground for grant of regular bail to the petitioner. There is no substantial change of circumstances ever since the declining of earlier bail application. In these circumstances, the petition is sans merit and is hereby dismissed.
7. The trial Court is, however, directed to take necessary steps for expeditious disposal of the trial.

07.09.2021

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

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