

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222)

CRM No. M-47874-2021

Date of Decision : 18.11.2021

Virender @ Ladha

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

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. 257 dated 06.11.2020, registered under Sections 379-A, 412, 201, 120-B IPC at Police Station Rohtak Civil Lines, District Rohtak.

Learned counsel for the petitioner argues that though the petitioner is facing number of cases with the similar allegations but, a Co-ordinate Bench of this Court while passing order in CRM No. M-42772 of 2021, after noticing the number of cases being faced by the petitioner, has allowed the bail application of the petitioner on the ground that one more opportunity is extended to the petitioner to reform and mend his ways and, therefore, on this basis itself, the petitioner is entitled for the grant of regular bail as the present FIR is one of the 25 FIRs noticed by the Co-ordinate Bench while passing the order. Learned counsel for the petitioner

further submits that the investigation is already over and the challan has been submitted, no useful purpose will be served in keeping the petitioner behind the bars during the entire period of trial.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who is present in Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that petitioner is a history-sheeter facing 25 cases on the similar allegations and has rather misused the concession of bail every time it is granted to him to commit the same offence again but concedes that the Co-ordinate Bench while passing order in CRM No. M-42772 of 2021 while considering the similar prayer, has granted the concession of bail to the petitioner so as to give opportunity to petitioner to reform and mend his ways.

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

There is no doubt that the petitioner needs to mend his ways so as to live a dignified life. Keeping in view the said fact that a Co-ordinate Bench has granted the regular bail to the petitioner with the following observations while passing order in CRM No. M-42772 of 2021 granting regular bail :-

“9. Although, the petitioner is a history sheeter and appears to be involved in similar types of cases, however, in the facts and circumstances peculiar to this case and keeping in view the age of the accused, this Court is affording one final opportunity to the petitioner to reform and mend his ways.”

While passing the said observations, the present FIR has also

been noticed by the Co-ordinate Bench in the order itself.

Keeping in view the said fact as well as that the investigation is already over with the hope that the petitioner will mend his ways, he is extended the benefit of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

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.

November 18, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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