

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1727-2022
DECIDED ON: 28.10.2022

SATISH @ CHIMTA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ajay Gupta, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.29, dated 13.01.2021, under Section 25 of the Arms Act and Sections 398 & 401 of the IPC, registered at Police Station Tohana, District Fatehabad, Haryana.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and neither any recovery has been effected from the petitioner nor any independent witnesses were joined at the time of investigation. He further submits that the petitioner has been roped in the present case merely on the basis of disclosure statement of other two co-accused persons.

On the other hand, learned State counsel has produced the custody certificate of the petitioner in Court today and the same is taken on record. A perusal of the same shows that the petitioner is behind bars for the last 1 year, 9 months and 12 days and the trial is still going on. He further

asserts that the recovery of one torch was effected from the petitioner and his name came before the Investigating Agency, as disclosed by the other two co-accused in their disclosure statement as the petitioner fled from the spot at the time of occurrence. He further asserts that there are three cases pending against the petitioner, though, all are of different nature but one includes Section 307, in case FIR No.22, dated 11.01.2021, registered at Police Station City Tohana, Fatehabad, wherein the petitioner is in custody and has not been granted the concession of bail by either of the Courts.

This Court is conscious of the fact that the instances of robbery on the highways particularly in late hours are increasing and the instant case is one of them, wherein the petitioner was in the company of other two co-accused persons armed with deadly weapons and committed the crime in a planned manner.

Looking at the totality of the facts and circumstances and seriousness of offence, which is qua the society at large, creating a fear in the mind of public, this Court is not inclined to grant the concession of regular bail to the petitioner.

Dismissed being devoid of any merits.

(SANDEEP MOUDGIL)
JUDGE

28.10.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>