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

**CRM-M-8114-2022
Date of Decision: 03.03.2022**

Sunil alias Silli

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Chander Pal Tiwana, Advocate,
for the petitioner.

Mr. Ranvir Singh Arya, Addl. A.G., Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Cr.P.C. for grant of regular bail to the petitioner in FIR No.189, dated 09.09.2021 under Sections 307, 323, 341, 506, 148, 149 & 34 of the IPC and Sections 25 & 27 of the Arms Act, 1959 (Sections 148 & 149 of the IPC and Section 27 of the Arms Act, 1959 were added later on), registered at Police Station Titram, District Kaithal.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 24.09.2021 and Challan has been presented in the present case and therefore, the petitioner may be considered for the grant of concession of regular bail.

On the other hand, Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana, has submitted that in the present case a group

of boys had collectively attacked the injured and one of the other co-accused, namely, Ajay had used firearm and injury was caused thereupon to the injured and although the petitioner was armed with *Danda* but he was a part of the same gang and therefore, the petitioner does not deserve the concession of bail. He has further also vehemently opposed the grant of bail to the petitioner on the ground that the other co-accused are also involved in many other cases and the petitioner is also involved in one other case of similar nature and in fact after the present FIR also they had been threatening the father of the complainant and gave injuries to him and therefore, looking at the conduct of the petitioner and the other co-accused, who were forming a part of the gang, the petitioner does not deserve the concession of bail. He further submitted that so far as the petitioner is concerned, he is also involved in one more case of similar nature and the other co-accused Jora Singh is involved in 6 other cases of similar nature, the other co-accused, namely, Ajay is involved in 3 other cases of similar nature and the other co-accused, namely, Sandeep is involved in 5 other cases of similar nature and there is every apprehension that in case the petitioner is released on bail then he may abscond and may tamper with evidence and may even repeat such kind of offence and therefore, he does not deserve the concession of bail.

I have heard the learned counsel for the parties.

Although the petitioner is in custody from 24.09.2021 and investigation of the present case is already complete and Challan has been presented but looking at the antecedents of the petitioner and the aforesaid submission made by the learned State counsel, the apprehension expressed

by the learned State counsel carries weight.

In view of the above, this Court does not deem it fit and proper to grant regular bail to the present petitioner. Consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

03.03.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |