

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

214

CRM-M-18122-2021

Date of Decision : **July 27, 2022**

AKRAM @ DHAKELU

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Mohammad Arshad, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.36 dated 4.2.2020 under Sections 302, 397 IPC (for the added offence under Sections 25-54-59 of Arms Act, 1959), registered at Police Station Punhana, District Nuh-Mewat.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 10.2.2020 and the investigation of the case has already been completed and charges have already been framed. He submitted that the petitioner was falsely implicated in the present case only on the ground that he was earlier involved in other case under Sections 398 and 401 IPC and because of this reason that he was implicated in the present case. He further submitted that the mere allegations of snatching and recovery of ornaments cannot become a ground for denial of bail.

On the other hand, the learned State counsel has stated that it is a case where the petitioner alongwith other co-accused have snatched a bag full of ornaments and thereafter killed the person. He submitted that so far as the present petitioner is concerned, prior to the incident he had also done recce and he was detected in the footage of CCTV camera. He further submitted that the petitioner is also involved in other case under Sections 398 and 401 IPC and apart from the same, in the present case the tower location of the petitioner was also matched and it was found that he was in the same vicinity. He submitted that charges in the present case were framed on 3.1.2022 and no witness has been examined till date and looking at the gravity and seriousness of the offence and the fact that in case the petitioner is released on bail he may influence the witnesses and may abscond from justice and the petitioner does not deserve the concession of regular bail.

I have heard the learned counsels for the parties.

Although the petitioner is in custody from 10.2.2020 but the charges have been framed on 3.1.2022 and as per the learned State counsel, no witness has been examined till date. The allegations against the petitioner are not only serious but also grave in nature. He is also involved in one more case. The apprehension expressed by the learned State counsel that in case the petitioner is released on bail then he may influence the witnesses and may flee from justice cannot be ignored.

In view of the gravity of the offence, role of the petitioner and the fact that no witness has been examined as yet, there is no merit in the present petition and the same is, hereby, dismissed.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 27, 2022

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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No