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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17113-2022
Date of Decision: 08.08.2022

Ankit

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rajesh Duhan, 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 the grant of regular bail to the petitioner in FIR No. 676 dated 06.12.2021, under Sections 195-A and 506 IPC, registered at Police Station Sectors 32 and 33, District Karnal, Haryana.

It has been submitted by the learned counsel for the petitioner that it is a case where the petitioner is in custody from 18.12.2021 and the investigation of the case has been completed and thereafter challan has been presented. He further submitted that the allegations against the petitioner were that one person namely Dalbir Singh Mann had lodged a complaint to the police that one robbery was made in the office of the complainant wherein Rs. 24.68 lacs were stolen regarding which an FIR No.611 of 2018 was registered in the police station. There are witnesses in that case

including Rajat and Sachin. The matter was fixed before the Court on 09.12.2021 but on 04.12.2021 the petitioner had called one Sachin and threatened him not to appear as a witness. He further submitted that the allegations were false and even otherwise also the investigation has been completed and therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that a status report has been filed by Deputy Superintendent of Police, Karnal-II and while referring to the same, he submitted that during investigation it was found that the petitioner had called the witness and threatened him that he will not depose before the Court. Furthermore, there are total nine prosecution witnesses in the present case and none has been examined by the trial Court. He has further referred to para No.6 of the status report whereby it has been stated that the petitioner is involved in as many as 8 more cases out of which although he has been acquitted in four cases but he was convicted in three more cases out of which he has undergone in two cases and in one case he is already on bail and these cases were not only pertaining to similar kind of allegations pertaining to theft but also pertaining to Section 302 and 307 IPC. He further submitted that considering the antecedents of the petitioner and the fact that he had threatened the witness due to which the present FIR was lodged, the petitioner does not deserve the concession of regular bail and there is every likelihood that in case the petitioner is released on bail, then he may again threaten the witness and no witness has been examined till date.

I have heard the learned counsel for the parties.

The petitioner is in custody from 18.12.2021. The allegations against the petitioner were that he had threatened one witness of another case. Although the investigation of the case is complete but considering the stand taken by the learned State counsel that the petitioner was involved in 8 more cases which are related to Section 379, 379-B, 307 and 302 IPC and he has been convicted in three cases and an apprehension has been expressed by the learned State counsel that in case he is released on bail, then he may again threaten the witness cannot be ignored. No witness has been examined in the present case and therefore, this Court does not deem it fit and proper to grant bail to the petitioner.

Consequently, the present petition is dismissed.

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

08.08.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No