

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

**CRM-M-24193-2021
Date of Decision: July 14, 2022**

SHOKEEN

..... Petitioner(s)

Versus

STATE OF HARYANA

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

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

Mr. Varun Sharma, Advocate for
Mr. Raman Sharma, Addl. A.G., Haryana.

LISA GILL, J.

Prayer in this petition is for grant of bail pending trial in FIR No.554, dated 26.09.2016 under Sections 341, 342, 364, 379, 384 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Sohna, District Gurugram.

Learned counsel for the petitioner submits that the petitioner has been in custody since 23.10.2018 and the trial is also not proceeding. Above said FIR was registered on the statement of complainant Ajay Mangla to the effect that he along with his father, cousin brother and driver were returning to Gurugram from Vrindavan - Mathura in their Innova car. When they reached Pulia near Sohna City on Palwal - Sohna Road, at about 11:20 PM, a Bolero car with an 'Applied For' number plate affixed thereon came

from behind and obstructed their car and stopped it. Eight persons were stated to be sitting in the Bolero with six of them carrying weapons. It is stated that four of these persons entered their car and snatched the car from the driver. Complainant and the others were made to lay down on the seats and threatened to keep quite otherwise they would be shot. All four of the accused persons are stated to have taken the car alongwith the complainant and others towards Nuh. Mobile phones of the victims alongwith other articles including gold ring, wrist watch, credit cards, driving license and documents of the Innova are stated to have been snatched by all the accused who were communicating in Mewati language. Victims are stated to have been taken to the millet fields at about 1.30 A.M., away from road. Victims were taken in the Bolero car and taken to a village in Mewat and confined in one room till 7:30 A.M. Demand of ransom, it is stated, was raised and then the victims were made to sit in their Innova Car and left in another village. Learned counsel submits that it is only on the basis of disclosure statement of a co-accused that petitioner is sought to be implicated in this FIR. No recovery connecting the petitioner to this case has been effected from the petitioner, who is in custody since October, 2018, after he was summoned on a production warrant.

However, learned counsel for the State informs that the petitioner is involved in as many as thirty three other criminal cases though acquitted in about six of them and on bail in three of them.

While referring to affidavit dated 09.07.2022 of Praveen Malik, HPS, Assistant Commissioner of Police, Sohna, Gurugram, it is submitted that trial could not be concluded due to unavoidable circumstances, firstly due to outbreak of pandemic COVID-19 and on certain occasions petitioner was not

produced in the Court by the authorities of District Jail, Deeg, District Bharatpur (Rajasthan) and on others some of the co-accused could not be produced and two of the co-accused in this case already stand convicted.

Keeping in view the facts and circumstances of the case, no ground for grant of bail is made out. However, keeping in view the period of custody, it is directed that the trial be concluded expeditiously and preferably within six months. Facility of video conferencing may be used by the learned trial Court, in accordance with law for expeditious conclusion of the trial.

Petition is accordingly disposed of.

14.07.2022

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No