

CRM-M-28918-2022

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

CRM-M-28918-2022

Date of decision: 14.11.2022

Baljeet Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Imran Farooqi, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.57 dated 18.02.2022, registered at Police Station PGIMS, Rohtak, District Rohtak, under Section 379 IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that he was not named in the FIR, and that the alleged theft had not been committed by him.

I have heard the learned counsel for the petitioner.

This is the second petition for grant of anticipatory bail, the first one having been dismissed as withdrawn on 30.11.2021, when this Court was not inclined to grant the relief as prayed for.

As per the case of the prosecution, on 16.02.2021, complainant-Mukesh parked his motor-cycle bearing registration No.DL-12SH-8040 in the parking of PGIMS, Rohtak; that however on 17.02.2021, at about 1.00 a.m., he found that his motor-cycle was stolen by some

CRM-M-28918-2022

unknown persons; that during investigation, the petitioner had got recovered the motor-cycle belonging to the complainant, in case bearing FIR No.116 dated 23.05.2021, under Sections 379, 411 and 489 IPC, Police Station City District Patiala. Furthermore, another motor-cycle bearing registration No.HR-12AK-9874 was also recovered from the petitioner in case bearing FIR No.293 dated 20.12.2020, under Section 379 IPC, Police Station PGIMS Rohtak.

In the present case, recovery of motor-cycle of the complainant was effected from the petitioner in the aforesaid FIR No.116 dated 23.05.2021. Learned Addl. Sessions Judge, Rohtak, while dismissing the bail application of the petitioner, noticed that five other criminal cases, including two under Section 379 IPC, are already registered or pending against the petitioner. In the considered opinion of this Court, the purpose of investigation would stand defeated by allowing the petitioner to join investigation, especially keeping in view his antecedents. Moreover, the criminal antecedents of the habitual offender(s) like the petitioner, which shatter the very tranquility of the collective, do not entitle him to be enlarged on bail.

In view of the above, this Court finds that the petitioner is required for custodial interrogation.

Therefore, finding no merit in the present petition, the same is dismissed.

14.11.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No