

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

CRM-M-30499-2022

Date of decision: 29.08.2022

Farman

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Pankaj Bali, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.184 dated 03.11.2019, registered at Police Station Ismailabad, Kurukshetra, under Sections 457, 380, 511, 307 and 34 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner has been in custody since 29.06.2020 and that main accused, namely, Nagim has since been granted the concession of regular by a Coordinate Bench, vide order dated 24.05.2022 (Annexure P-2).

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner is a habitual offender, and that the petitioner has as many as 55 cases, including 09 cases under Section 174-A IPC, registered or pending against him.

I have heard the learned counsel for the parties.

As per the case of the petitioner, the petitioner alongwith his accomplices had entered the '*bara*' of the complainant and tried to untie the buffalo from the enclosure. When the complainant followed the accused persons, the latter had tried to hit their vehicle into the vehicle of the complainant and also opened gun-shots. In the present case, Baljeet Singh had received bullet injury on his chest.

The petitioner has as many as 55 cases registered or pending against him. Indisputably, the petitioner has been in custody since 29.06.2020. It is not denied for a moment that the period of custody is a relevant factor, but simultaneously the totality of the circumstances and the criminal antecedents are also to be weighed. Keeping in view the criminal antecedents of the petitioner, the period of custody of about 02 years, in my considered opinion, melts into insignificance.

In view of the above discussion and having found *prima facie* case or reasonable ground to believe that the petitioner has complicity with the commission of offence, I am loath to grant bail to the petitioner. If the relief as sought in the petition is allowed to the petitioner, he may misuse the concession of bail and when caught out, he would again throw himself at the mercy of the court.

For the larger interest of public and society, the present petition for bail being devoid of merit, stands dismissed.

29.08.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No