

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

CRM-M-32434-2022
Date of Decision: 11.10.2022

Amit @ Mitta and another ...Petitioners

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. R.N. Lohan, Advocate, for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

HARNARESH SINGH GILL, J.

The petitioners prays for grant of regular bail in case bearing FIR No. 32 dated 05.02.2021, registered under Sections 392 and 397 IPC and Section 25 of the Arms Act, at Police Station Narwana City, District Jind.

Status report filed by of an affidavit dated 28.09.2022 of Assistant Superintendent of Police, Narwana, District Jind, is taken on record.

Learned counsel for the petitioners submits that the petitioners have no concern with the occurrence in question; that they were not arrested at the spot and were indicted on the basis of the disclosure statement made by the co-accused and that the petitioners have been in custody since 19.02.2021.

On other hand, while referring to the detailed averments made in the status report, the learned State counsel, vehemently opposes the prayer for bail. He submits that it is a case, in which the petitioners along with the co-accused had

looted the money of Rs.8,85,000/- of the complainant, after firing in the air; that during investigation, petitioner No.1 pursuant to his disclosure statements got recovered a sum of Rs.5,12,000/-, one .32 bore pistol and 24 cartridges and one empty cartridge; whereas at the instance of petitioner No.2, a sum of Rs.2,70,000/- was recovered besides one .32 bore pistol, one scooty bearing registration No. HR-32J-4008-Honda Activa and one .22 bore pistol with one live cartridge of even bore from the dickey of the scooty and that a sum of Rs.5000/- was got recovered at the instance of co-accused Deepak. It is further submitted that during investigation another co-accused Mange Ram was arrested, who suffered a statement that he had sold the .32 bore pistol and 5 cartridges to petitioner No.1 for a sum of Rs.15,000/-; that co-accused Princepal @ Prince, involved in another case, was brought on production warrant and he had stated that he had suffered a disclosure statement that he had sold the fire arms and ammunition to petitioner No.1 for Rs.90,000/-. It is yet further submitted that the complainant had identified the accused, including the petitioners, in the CCTV footage and therefore, there is no dispute regarding the identity of the accused. It is yet further submitted that the petitioners are habitual offenders and are involved in as many as four other FIRs, of the similar nature.

I have heard the learned counsel for the parties.

A perusal of the status report, would show registration of four other criminal cases against the petitioners i.e. FIR No. 347 dated 20.11.2020 under Section 379-A IPC at

Police Station Uchana; FIR No. 387 dated 16.12.2020 under Sections 392, 397 IPC and Section 25 of the Arms Act, at Police Station Uchana; FIR No. 4 dated 01.01.2021 under Sections 392, 34 IPC and 25 of the Arms Act, at Police Station City Narwana and FIR No. 363 dated 13.05.2021, under Sections 147, 148, 149, 323, 341, 427, 506 IPC at Police Station HMT Hisar.

The allegations against the petitioners are very serious. From the facts on record, it is apparent that the petitioners have been committing repeated crimes of similar nature. Therefore, if enlarged on bail, there is every possibility that the petitioners would again involve themselves in similar offences.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

11.10.2022
ds

(HARNARESH SINGH GILL)
JUDGE

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