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

**CRM-M-35540-2022 (O&M)
Date of Decision: 09.09.2022**

Hansarj @ Hansa

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Navmohit Singh, Advocate,
for the petitioner.

Mr. Naveen S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.107, dated 21.04.2022 under Sections 387 & 506 of the IPC, registered at Police Station City Dadri, District Charkhi Dadri.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody for about 3 months and 24 days and after the completion of investigation, the challan has already been presented by the police before the competent Court. He further submitted that the petitioner was falsely implicated in the present case since the phone-call, if any, was from the co-accused, namely, Akshay and so far as the role of the present petitioner is concerned, there is no evidence with the police to connect the petitioner with the present offence, therefore, he may be considered for the grant of regular bail.

On the other hand, Mr. Naveen S. Panwar, learned Deputy Advocate General, Haryana, has submitted that it is a case of extortion and the petitioner had also threatened the complainant for ransom to which the complainant had expressed inability, and thereafter, the telephonic call was made by the other co-accused, namely, Akshay. While referring to the FIR itself, the learned State counsel has submitted that the co-accused Akshay made a phone call to the complainant that he should behave with the present petitioner otherwise he will kill the family and thereafter, it has been so stated in the FIR that earlier the present petitioner had asked for ransom to which the complainant had expressed inability and further allegations were that in case, the needful is not done then the present petitioner will kill not only the complainant but also his sister.

Learned State counsel has further submitted that the telephonic call between Akshay and complainant was recorded, which is a part of the police file. He also submitted that the present petitioner is a habitual offender and is involved in as many as 18 more cases, pertaining to extortion, cheating, dacoity, murder etc. The details of all the 18 cases have already been given by the petitioners in Para 7 of the present petition. He has, therefore, opposed the grant of bail to the petitioner, on the ground that in case the petitioner is released on bail then there are very high chances that he may not only abscond but he may keep on repeating the offences in view of the aforesaid facts and circumstances.

I have heard the learned counsel for the parties.

The petitioner is in custody for about 3 months and 24 days.

Although, investigation of the case is completed but considering the

seriousness and magnitude of the present case and also considering the antecedents of the petitioner whereby he is involved in as many as 18 more cases pertaining to theft, dacoity, extortion and murder, this Court does not deem it fit and proper to grant bail to the petitioner. The apprehension expressed by the learned State counsel cannot be ignored in view of the factual circumstances of the present case.

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

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

09.09.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |