

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

212

**CRM-M-42749-2022
Date of decision: 21.09.2022**

SUNNY DAHIYA

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. J.S. Pannu, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

This is petitioner's third attempt to get bail during the pendency of the trial arising from case FIR No.242, dated 30.05.2021, registered under Section 307 of the Indian Penal Code, 1860 and Section 25(1B)(a) and 27(1) of the Arms Act, 1959, at Police Station Rajendra Park, District Gurugram.

On 05.07.2022, the second bail application was dismissed with the following order:-

“This is the petitioner's second attempt to get bail in a criminal case arising from FIR No.0242, dated 30.05.2021, registered under Section 307 IPC and Section 25(1B)(a) and 27(1) of the Arms Act, 1959, at Police Station Rajendra Park, District Gurugram.

The first bail application was withdrawn after the learned counsel representing the State of Haryana submitted that the petitioner is involved in 13 more criminal cases including 5 with the allegation of attempt to murder.

The learned counsel representing the petitioner contends that after withdrawal of the first bail application, one prosecution witness has been examined, but he was declared hostile.

The criminal antecedents of the petitioner as noticed in the order dated 13.01.2022, are not disputed.

In view thereof, this Court is not inclined to grant bail to the petitioner.

Dismissed.”

The learned counsel representing the petitioner submits that the prosecution witnesses have been declared hostile as they did not support the case of the prosecution. He further submits that the petitioner has suffered incarceration for a period of 1 year and 3 months.

While dismissing the second bail application on 05.07.2022, this argument of the learned counsel has already been examined. In view of the criminal antecedents of the petitioner, this Court does not find it appropriate to grant the concession of bail.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

September 21st, 2022

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(ANIL KSHETARPAL)
JUDGE

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