

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

SR. No.220

CRM-M-53592-2021

Date of Decision:27.07.2022

Randhir Kumar @ Dhira

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Akashdeep Miglani, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

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.140 dated 16.05.2021 under Sections 379-B/506/379-B(2), 411 and 34 of the Indian Penal Code, registered at Police Station Salem Tabri, Ludhiana.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody since 16.05.2021, which is more than 01 year and 02 months. He further submitted that although the charges have been framed on 09.08.2021 but no witness has been examined. He further submitted that the allegations against the petitioner are that on 15.05.2021, he along with co-accused with muffled faces had come on motorcycle without registration number and snatched Rs.10,000/-, ATM card etc from the complainant. He also submitted that the petitioner has been falsely implicated in the present case and in view of the custody period of the petitioner, he may be considered for grant of regular bail.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is behind the bars from 16.05.2021 and after framing of the charges, no witness has been examined till date. He has vehemently opposed the grant of regular bail to the petitioner on the ground that he is involved in 15 more cases of similar nature of theft and he is a habitual offender. He submitted that there is strong apprehension that in case the petitioner is released on bail, then he may repeat the offence or he may even flee from justice.

I have heard the learned counsel for the parties.

The petitioner is in custody since 16.05.2021. As per the learned State counsel, the petitioner is involved in 15 more cases of similar nature. No witness has been examined till date. The apprehension expressed by the learned State counsel that considering the antecedents of the petitioner whereby he is involved in 15 more cases of similar nature and in case he is released on bail he may repeat the offence and may abscond from justice, cannot be ignored.

In view of the aforesaid factual position, this Court does not deem it fit and appropriate to grant regular bail to the petitioner. Consequently, the present petition is, hereby dismissed.

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

(JASGURPREET SINGH PURI)
JUDGE

27.07.2022
mks

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO