

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

**CRM-M-51416-2022 (O&M)
Date of decision: 14.11.2022**

Sukhvir Singh @ Sukhpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. C.L. Verma, Advocate for the petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.181 dated 06.12.2021, registered at Police Station Sadar Jagraon, Ludhiana, under Sections 379-B and 411 IPC. The first bail petition of the petitioner was dismissed as withdrawn on 02.08.2022 and the second petition for grant of interim bail on medical ground was withdrawn on 31.10.2022.

Custody certificate dated 11.11.2022 issued by the Deputy Superintendent, Central Jail, Ludhiana, filed by the learned State counsel in the Court is taken on record.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that complainant-Harjinder Singh while appearing before the trial Court as PW 1, has not supported the

prosecution version and has been declared hostile; that the petitioner has been in custody since 06.12.2021 and that co-accused Karam Singh @ Karma, was granted regular bail by this Court vide order dated 16.09.2022 and learned counsel for the petitioner prays to grant regular bail to the petitioner on parity with Karam Singh @ Karma.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner is a habitual offender as he is involved in 04 other cases also, out of which he is on bail in two cases i.e. FIR No. 53 date 11.03.2016, registered under Section **379-B** IPC at PS City Jagraon; FIR No.93 dated 26.04.2016, registered under Sections **379**, 506, 34 IPC at PS City Jagraon and he stands convicted in two cases i.e. FIR No. 12 dated 16.01.2021, registered under Sections **379-B**, 411 IPC at PS City Jagraon; FIR No. 197 dated 23.08.2016, registered under Section 52-A(1) of the Prison Act at PS Division No.7, Vardhman ; that the petitioner along with co-accused were specifically named in the FIR and they by pointing a rod towards the complainant, snatched his (complainant) mobile and that mobile phone, iron rod and motor-cycle used in the commission of offence had been recovered from the petitioner and co-accused. However, he does not dispute the fact that the complainant has turned hostile and co-accused has been granted bail by this Court on 16.09.2022.

I have heard the learned counsel for the parties.

No doubt the challan has already been presented, the complainant while appearing before the trial Court as PW-1, has not supported the prosecution version and has been declared hostile and the remaining prosecution witnesses are yet to be examined, but the fact remains

that the petitioner is a habitual offender and if the concession of regular bail is granted to him, there is possibility that he will involved himself in more cases of similar nature i.e. under Section 379/379-B IPC, therefore, no ground to grant the concession of regular bail to the petitioner is made out.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

14.11.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No