

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

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CRM-M-55057-2022 (O&M)

Date of decision: 05.12.2022

AJAY ALIAS GOLI

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Reena Verma, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this 3rd petition (wrongly mentioned as 2nd in the head note of the petitioner), the petitioner seeks regular bail in case bearing FIR No.217 dated 31.07.2020, registered under Sections 394 and 397 IPC; Section 25 of the Arms Act and Section 201 IPC (added later on), at Police Station Sadar Safidon, District Jind, the first one having been dismissed as withdrawn on 29.07.2021 and the second dismissed on merits on 08.07.2022.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the petitioner has been indicted on the basis of the disclosure statement of the co-accused; that the alleged recovery was effected from the co-accused and that the petitioner has been in custody since 15.10.2020. She further submits that though, there are as many as seven more FIRs registered and/or pending against the petitioner, yet the fact remains that the petitioner is on bail in those cases.

On the other hand, learned State counsel while opposing the present petition, has made a specific reference to the order dated 08.07.2022, passed by this Court, whereby 2nd regular bail petition preferred by the petitioner, has been dismissed, after considering all the pleas, as raised herein. He further submits that 1st bail petition preferred by the petitioner was dismissed as withdrawn on 29.07.2021. Still further, it is submitted that there being no change in the circumstances and no new facts pleaded in the present petition, the same is liable to be dismissed.

Learned State counsel further submits that there are specific allegation against the petitioner, inasmuch as, he had supplied three illegal weapons to co-accused, namely, Sumit @ Chhota and Mohit, who had committed robbery of car bearing No.HR-02-8090, Rs.53,000/- cash, one gold bracelet, apple mobile phone and ATM Card from the complainant and Rs.2,000/- from his driver and that pendency of seven more FIRs speaks volume about the conduct and criminal antecedents of the petitioner, which is writ large.

I have heard the learned counsel for the parties.

This is the 3rd petition preferred by the petitioner seeking regular bail. While dismissing the earlier bail petition preferred by the petitioner, this Court had taken into consideration all the pleas. It could not have been shown that the pleas raised herein, were not considered by this Court, while dealing with the earlier bail petition.

There is no change of circumstances, which can favour the petitioner for grant of regular bail. Besides this, there are specific and serious allegations against the petitioner and he, being a habitual offender, is not entitled for grant of regular bail. Thus, this Court finds no indulgence is required to be given to the petitioner and his prayer for regular bail is hereby rejected.

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

(HARNARESH SINGH GILL)
JUDGE

05.12.2022

Aman Jain

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No