

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

CRM-M No.9608 of 2022

Date of decision: 10th January, 2023

Prince @ Billa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

This is fourth petition of the petitioner filed under Section 439 Cr.P.C. in case bearing FIR No.148 dated 14.11.2020 under Sections 307, 34, 120-B IPC and Sections 25, 27 of the Arms Act, 1959 (Section 25 of the Arms Act was deleted subsequently) pertaining to Police Station Division No.2, District Jalandhar Commissionerate.

Learned counsel for the petitioner submits that he has now been in custody for more than two years, having been arrested on 24.11.2020, and there is no likelihood of the trial concluding in the near future as only two out of the total 14 prosecution witnesses cited have been examined till date. He, still further submits that the only role attributed to the petitioner in the crime in question is that he fired towards the complainant party, however, he submits that it was also a

matter of record that no injury was caused by him to the complainant party. Learned counsel, thus prays that the petitioner be extended the concession of bail in the FIR in question.

Per contra, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, submits that the petitioner is a history-sheeter as he is involved in a number of criminal cases. In support, he has drawn the attention of this Court to the custody certificate of the petitioner which has been placed on record in the Court today.

A perusal of the custody certificate reveals that following cases stand registered against the petitioner:-

1. FIR No.42 dated 01.03.2016 under Section 379-B IPC at Police Station Navi Baradari;
2. FIR No.153 dated 10.09.2018 under Sections 353, 186, 323, 34 IPC at Police Station Navi Baradari;
3. FIR No.137 dated 08.08.2017 under Sections 364, 148, 149, 307, 342, 323, 324, 506 IPC at Police Station Bhargo Camp;
4. FIR No.202 dated 24.11.2017 under Sections 302, 148, 149 IPC at Police Station Division No.5, Jalandhar;
5. FIR No.103 dated 18.06.2017 under Sections 452, 323, 341, 506, 509, 148, 149 IPC at Police Station Bhargo Camp;
6. FIR No.158 dated 16.09.2016 under Sections 25/54/59 of the Arms Act at Police Station Divn. No.5, Jalandhar;

7. FIR No.159 dated 16.09.2016 under Sections 336, 323 IPC at Police Station Divn. No.5, Jalandhar;
8. FIR No.97 dated 15.06.2017 under Sections 323, 341, 506, 148, 149 IPC at Police Station Bhargo Camp;
9. FIR No.7 dated 20.01.2015 under Sections 382, 34 IPC at Police Station Bhargo Camp;
10. FIR No.182 dated 08.08.2018 under Section 52-A of Prison Act at Police Station Kotwali Kapurthala;
11. FIR No.30 dated 08.09.2018 under Sections 21/22/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Patara;
12. FIR No.01 dated 01.01.2020 under Sections 160, 323, 341, 427, 506, 148, 149 IPC at Police Station Bhargo Camp;
13. FIR No.203 dated 14.09.2020 under Section 61/1/14 Ex. Act and 78(2) of Ex.Act at Police Station Bhog Pur;
14. FIR No.65 dated 10.04.2020 under Sections 188, 323, 341, 269, 506, 324, 148 IPC at Police Station Bhargo Camp;
15. FIR No.59 dated 04.04.2020 under Sections 323, 188, 269, 34 IPC at Police Station Bhargo Camp;
16. FIR No.27 dated 01.01.2019 under Sections 302, 148, 149 IPC and Section 25/54/59 of the Arms Act at Police Station Divn. No.2, Jalandhar.

I have heard learned counsel for the parties and perused the relevant material on record.

This Court, in the aforementioned facts and circumstances, particularly seeing the criminal antecedents of the petitioner, does not

deem it fit to extend the concession of bail to him. Thus, the petition stands dismissed. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

At this stage, a request has been made by learned counsel for the petitioner that the trial Court be directed to expedite the trial keeping in view the long incarceration of the petitioner.

The trial Court concerned shall make earnest efforts to expedite the trial and conclude it at the earliest.

(MANJARI NEHRU KAUL)
JUDGE

January 10, 2023
rps

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