

216
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11937-2023 (O&M)

Date of Decision: 03.07.2023

Raman

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ram Krishan Rana, Advocate for
Mr. Deepender Singh, Advocate, for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.219 dated 22.02.2020, under Sections 307, 379-B, 511, 34 IPC and Section 25/54/59 of Arms Act (lateron Sections 395 and 397 IPC added), registered at Police Station Thanesar City, District Kurukshetra (Haryana).

2. Learned counsel for the petitioner has submitted that the petitioner is in custody for 2 years and 11 months and the statement of the complainant has already been recorded wherein he has not supported the prosecution case and has not identified the accused persons. He submitted that in view of the long custody of the petitioner, he may be considered for the grant of regular

bail.

3. On the other hand, Mr. Naveen Kumar Sheoran, DAG, Haryana submitted on instructions from ASI Mandeep Kumar that it is a case where out of total 13 cited witnesses, 12 have already been examined. He submitted that the petitioner is a habitual offender and he is involved in as many as 12 more cases which includes offences under Sections 302 and 307 IPC. He submitted that considering the aforesaid position there is a strong apprehension that in case the petitioner is released on bail, then he may repeat the offence and may abscond from justice. He further submitted that now since the trial is at the fag end, the petitioner is also not entitled for the grant of regular bail.

4. At this stage, the learned counsel for the petitioner has submitted that out of 12 cases as stated by the learned State counsel, the petitioner has since been acquitted in five cases.

5. I have heard the learned counsel for the parties.

6. As per the learned State counsel, 12 witnesses have already been examined and the petitioner is involved in 12 more cases which according to the learned State counsel include Sections 302 and 307 IPC. The apprehension expressed by the learned State counsel that considering the antecedents of the petitioner in case the petitioner is released on bail, then he may abscond from justice or may repeat the offence carries weight and cannot be ignored.

7. Therefore considering the totality of facts and circumstances of the case, this Court does not deem it fit and proper to grant regular bail to the petitioner.

8. Consequently, the present petition is dismissed.

9. 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.

03.07.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No