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

CRM-M-18423-2023 (O&M)

Date of decision : 16.11.2023

Vikramjit Singh @ Vicky

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jaspreet Saini, Advocate,
for the petitioner.

Mr. C.L. Pawar, Addl.A.G., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.61 dated 06.11.2014, under Sections 382, 392, 394, 395, 420, 353, 354, 447, 482, 108, 506, 509, 468, 467 of the Indian Penal Code, 1860; Section 25 of the Arms Act, 1959; and Sections 15, 18, 21, 22, 25, 27, 29 of the Narcotic Drugs and Psychotropic Substances, Act, 1985, registered at Police Station Gardhiwala, District Hoshiarpur.

2. Allegations are that the petitioner along with other co-accused have been indulging in consumption, sale, purchase & supply of narcotic drugs; possession of illegal weapons; snatching of vehicles; robbery; forcible possession of disputed properties; molesting women, etc.

3. Contends that petitioner has been falsely implicated in the present case and he is in custody for the last about 04 years; thus he be granted concession of bail pending trial.

4. *Per contra* learned State counsel opposed the prayer of petitioner on the ground that he is not only a previous convict; rather facing numerous criminal cases.

5. Heard both sides and perused the paper-book.

6. It transpires that present FIR was registered on 06.11.2014 and petitioner was declared as a 'proclaimed offender'. Ultimately, he was arrested on 05.10.2019.

7. In response to the present petition, affidavit dated 27.07.2023 has been filed and para 11 thereof indicating the detail of cases against petitioner reads as under:-

"11. That it is submitted that the petitioner is habitual offender and the following cases are against him:

- i. FIR No.209, dated 07-08-2005 U/s 25/54/59 of Arms Act was registered at P.S. Tanda, District Hoshiarpur against the petitioner and the same is pending trial.*
- ii. FIR No.25 dated 09.02.1999, U/s 356, 34 IPC was registered at P.S. Tanda, District Hoshiarpur against the petitioner and the petitioner was convicted in this case on 22.02.2007.*
- iii. FIR No.116, dated 21.05.2014 U/s 15/18/21/22-61-85 OF NDPS Act was registered at P.S. Tanda, District Hoshiarpur against the petitioner and the same is under investigation.*
- iv. FIR No.3, dated 7-1-2015 U/s 22/61/85 of NDPS Act was registered at P.S. Bhogpur, District Jalandhar against the petitioner.*
- v. FIR No.98, dated 16.06.2000 U/s 380 IPC was registered at P.S. Adampur, District Jalandhar against the petitioner.*

- vi. *FIR No.20, dated 12.02.2000, U/s 457, 380, 342 IPC was registered at P.S. Sadar, District Kapurthala against the petitioner.*
- vii. *FIR No.93, dated 26.07.2000 U/s 411 IPC was registered at P.S. Bhogpur, District Jalandhar against the petitioner.*
- viii. *FIR No.85, dated 19.07.2000 U/s 399, 402 IPC and Section 25/54/59 of Arms Act was registered at P.S. Bhogpur, District Jalandhar against the petitioner.”*

8. Perusal of above extract reveals that petitioner is an habitual offender, having no respect for the rule of law; thus, does not deserve the concession of bail pending trial, at this stage.

9. Although, petitioner has a right to seek speedy justice, but he himself delayed the proceedings, which ultimately led to his declaration as a ‘proclaimed offender’.

10. In such a scenario, this Court is not inclined to accept the prayer of petitioner and as a result thereof, there is no option except to dismiss the petition.

11. Ordered accordingly.

12. It is clarified that observations made above shall not be construed as an expression of opinion on merits of the controversy, in any manner.

13. Pending application(s), if any, shall also stand disposed off.

16.11.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned : *Yes / No*
Whether reportable : *Yes / No*