

230 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42767-2023
Decided on : 07.12.2023

Parvesh @ Chotti

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Sanya Kaushal, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana
with ASI Ajay.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.55 dated 09.02.2021 under Sections 392, 506 and 34 IPC and Section 25 of Arms Act registered at Police Station HTM Hissar District Hisar.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand, which is evident from a perusal of FIR, which has been annexed as Annexure P-1 as he was not named therein. It has been further submitted that the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered in some other case. It has also been submitted that when the petitioner was arrested on 22.12.2021, no recovery was effected from his possession, which further left no manner of doubt that a false case had been planted upon

him. Learned counsel still further submits that since the investigation in the case in hand is complete, his further incarceration would serve no useful purpose and he be thus, extended the concession of bail.

3. Per contra, learned State counsel while opposing the prayer made by counsel opposite has submitted that the petitioner is a habitual offender as he is involved in 26 other FIRs. In support of his submissions, learned State counsel has placed on record the custody certificate of the petitioner wherein involvement of the petitioner in multiple criminal cases stands reflected. Learned State counsel has also submitted that there is every likelihood that in case, the petitioner is enlarged on bail, he would yet again commit some offence as even the offence in hand had been committed after he had been released on bail in the previously registered criminal cases against him.

4. Heard learned counsel and perused the relevant material on record including the FIR.

5. Allegedly the petitioner along with the co-accused robbed the complainant of his car along with his mobile handset at gun-point after forcibly abducting him. The car of the complainant as well as the weapons used by the petitioner in the crime in question were recovered when the petitioner was arrested in another FIR No.124 dated 02.03.2021.

6. In the facts and circumstances as enumerated hereinabove particularly seeing the criminal antecedents of the petitioner, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed

hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

07.12.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No