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

CRM-M-47999-2023
Date of Decision: 22.11.2023

Sid Bahadur

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Yogeshwar Dayal Kaushik, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.176 dated 26.02.2023 registered under Sections 328, 381, 325, 201 and 34 IPC (Sections 325 and 201 IPC added later on) at Police Station Sector 8, Faridabad (Haryana).

2. Learned counsel for the petitioner submitted that the petitioner is in custody for about 5 months and the investigation of the case has already been completed and thereafter, challan has also been presented but no prosecution witness has been examined till date. He further submitted that the allegations in the present case are that one of the co-accused, namely, Parmod, who was domestic servant of the complainant, had administered sedative substance to the lady of the house, namely, Pushp Lata Mittal and

also to one child, namely, Rehan and they became unconscious and thereafter, they took away jewellery box which was lying on the bed along with the ornaments and cash amounting to approximately Rs.2.5 lacs was also stolen. He also submitted that the petitioner was not named in the FIR, and therefore, he may be considered for grant of regular bail considering the fact that he has already faced incarceration for about 5 months.

3. On the other hand, Mr. Naveen Kumar Sheoran, DAG, Haryana has submitted that the petitioner is not entitled for grant of regular bail in view of the fact that he along with the other co-accused, namely, Ram Khatri @ Rahul Dev Kota and Ganga Ram @ Parmod Khatri @ Ganesh Khatri administered sedative substance to the victims and decamped with lot of cash amounting to Rs.2,40,000/-, jewellery and other household articles. He further submitted that the jewellery including one diamond ring, one gold ring, one gold coin have been recovered from the present petitioner and he was actively involved in the offence. He also submitted that the petitioner is involved in one more case under the Arms Act and he is a habitual offender, and therefore, he is not entitled for grant of regular bail.

4. I have heard the learned counsels for the parties.

5. The petitioner is in custody for five months and no witness has been examined till date. Considering the gravity of allegations against the petitioner and the fact that he is involved in one more case pertaining to Arms Act, this Court does not deem it fit and proper to grant regular bail to the petitioner especially as per the learned State counsel, stolen articles were recovered from the petitioner.

6. Consequently, finding no merit in the present petition, the same

is, hereby, dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

22.11.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |