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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50976-2023
Date of decision: 13.10.2023

RAMROOP

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Kanishk Sarup, Advocate for
Mr. Rahul Jaswal, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.127 dated 23.04.2018, under Sections 307, 379-B, 34 of the IPC (Section 201 of the IPC added later on) and Sections 25, 54, 59 of the Arms Act, registered at Police Station Matlauda, District Panipat, Haryana.
2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in custody from 25.01.2023, which is almost nine months. He further submitted that the petitioner has been falsely implicated in the present case and he was not even apprehended on the spot and it was only thereafter on the basis of disclosure statement of co-accused that his name was nominated. He also submitted that considering the facts and circumstances of

the present case, the petitioner may be considered for grant of regular bail since the trial of the case may take a long time to conclude.

3. On the other hand, Ms. Harpreet Kaur, AAG, Haryana submitted that the present is a case where three persons including the present petitioner had tried to snatch a vehicle and thereafter a lot of people gathered there and on seeing them, all the aforesaid three persons started running towards the fields and the complainant also followed them. Thereafter, the petitioner managed to flee but the other two co-accused were thereafter apprehended. She further submitted that snatching was done at gun point and beatings were also given to the complainant. She further submitted that the allegations against the petitioner and the other two co-accused are serious in nature and the petitioner had fled away and the other two co-accused faced trial and they have been convicted and sentenced for a period of ten years and thereafter now the petitioner has been arrested and qua him the trial has commenced. She also submitted that out of cited 20 prosecution witnesses, 4 witnesses have already been examined and considering the serious allegations against the petitioner, there is a strong apprehension that in case the petitioner is released on bail then he may not only abscond from justice but he may even influence the witnesses.

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

5. The present is a case where no doubt the allegations qua the petitioner are very serious and at the same time the other two co-accused faced the trial and they have been convicted and sentenced for a period of ten years. The total custody of the petitioner is only about nine months and the trial has already progressed and four prosecution witnesses have been examined. The

apprehension which has been expressed by the learned State counsel cannot be ignored and does carry weight.

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 the merits of the case and is meant for the purpose of deciding the present petition only.

13.10.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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