

216

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

**CRM-M-54014-2022 (O&M)
Date of Decision: 13.01.2023**

Akram @ Dhakelu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Salman Ahmed, Advocate for
Mr. Mohammad Arshad, Advocate
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

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.36, dated 04.02.2020 under Sections 302 & 397 IPC (for the added offence under Sections 25, 54, 59 of the Arms Act, 1959), registered at Police Station Punhana, District Nuh-Mewat.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 10.02.2020 and he has been falsely implicated in the present case and since no prosecution witness has been examined till date, the petitioner may be considered for grant of regular bail.

On the other hand, Ms. Nidhi Garg, learned Assistant Advocate General, Haryana has stated that the petitioner had earlier also filed a petition for regular bail before this Court which had been dismissed on

merits on 27.07.2022 vide CRM-M-18122-2021 and thereafter, there is no change of circumstances. She further submitted that it is a case where the petitioner along with the other co-accused had snatched bag full of ornaments and thereafter, killed the person and so far as the present petitioner is concerned, prior to the incident he had also done a recce and the same was detected from the CCTV footage. She also submitted that the petitioner is involved in as much as 10 more cases of similar nature and is a habitual offender and in case the petitioner is released on bail then he may abscond from justice and he may also repeat offence and has opposed the grant of regular bail to the petitioner on the ground of gravity and seriousness of the offence.

I have heard the learned counsel for the parties.

The petitioner is stated to be in custody from 10.02.2020 and earlier he had filed a bail petition before this Court which was dismissed on merits on 27.07.2022 vide Annexure P-4. There is no change of circumstance thereafter. Apart from the above, the submissions made by the learned State counsel that the petitioner was seen in CCTV footage and was doing recce and even his mobile phone location was matched at the time of investigation and that in view of the seriousness and gravity of the offence and also the apprehension expressed by the State that in case the petitioner is released on regular bail then he may abscond or flee from justice or may repeat the offence as he is involved in 10 more cases of similar nature cannot be ignored and does carry weight.

In view of the above, this Court does not deem it fit and proper to grant regular bail to the petitioner. Consequently, finding no merit in the

present petition, the same is hereby dismissed.

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.

13.01.2023

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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