

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-58078 of 2022

Date of Decision:24.03.2023

Mohit @ Manpreet

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Pardeep Panwar, Advocate, for the petitioner.

Ms. Nidhi Garg, AAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

The present is a third petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.246 dated 20.05.2017, under Sections 379-B, 34 IPC and 25 of the Arms Act, registered at Police Station Sadar Bahadurgarh, District Jhajjar.

It is submitted by the learned counsel for the petitioner that the petitioner is in custody for the last about 3 years and eight out of total 15 cited prosecution witnesses have been examined. He submitted that the trial of the case may take long time and therefore the petitioner may be considered for the grant of regular bail.

On the other hand, Ms. Nidhi Garg, learned AAG, Haryana has submitted, that so far as the custody part is concerned, the same is correct but the petitioner is not entitled for grant of bail in view of the fact that the petitioner is involved in one more case of similar nature and apart from the same, earlier the

petitioner was granted interim bail by this Court for one month on the ground that the mother of the petitioner was undergoing some surgery but after the expiry of the period of interim bail he did not surrender and rather warrants of arrest were issued against him and therefore this Court had dismissed the bail petition of the petitioner on 28.01.2021 vide Annexure P-8. She submitted that the petitioner remained absconded for long time and thereafter he was arrested in pursuance of the arrest warrants issued against him and in case the bail is granted to the petitioner, then he may again abscond and therefore the petitioner is not entitled for the grant of bail.

I have heard learned counsel for the parties.

It is a third bail petition filed by the petitioner. This Court had earlier granted interim bail to the petitioner to which he jumped and vide Annexure P-8 his bail petition was dismissed. The apprehension expressed by learned State counsel that if the bail is granted to the petitioner, then he may again abscond, does carry weight and cannot be ignored.

In view of the aforesaid conduct of the petitioner, the petitioner is not entitled for the grant of regular bail. Consequently, the present petition is 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 the present petition.

(JASGURPREET SINGH PURI)
JUDGE

March 24, 2023

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Whether speaking

: Yes/No

Whether reportable

: Yes/No