

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-58523 of 2022 (O&M)

Date of decision: 06.02.2023

Sudeep

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohit Dalal, Advocate
for the petitioner.

Mr. Jaspal S. Pannu, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

This is the petitioner's 4th attempt to get bail during the pendency of the trial in a criminal case arising from FIR No.25, dated 17.02.2019, registered under Section 398, 401 of the Indian Penal Code, 1860 and Section 25, 29 of the Arms Act, 1959, at Police Station Pillukhera, District Jind.

Previously, the petitioner along with the co-accused filed an application for grant of bail, which was dismissed on 22.11.2019 by this Court, with the following order:-

“By this order two petitions, CRM-M-46317-2019 and CRMM-38215-2019 filed for grant of bail pending trial to each of the petitioner arising from criminal case FIR No.25 dated 17.2.2019 registered under Sections 398, 401 IPC and Sections 25, 54 of Arms Act at Police Station Pillukhera, District Jind and Section 29 of Arms Act (added lateron) in CRM-M-46371-2019 and in FIR No.25 dated 17.2.2019 registered under Sections 398, 401 IPC and Section 25of Arms Act at Police Station Pillukhera, District Jind (in CRM-M-38215-2019) shall stand disposed of. As per the case of the prosecution, petitioners alongwith other co-accused had blocked the passage of a vehicle and forced it to stop with an intention to commit dacoity. From each of the petitioner,

a country made pistol with live cartridges has been recovered. Petitioner-Sudeep is facing two previous criminal cases details whereof are as under:-

Sr. No.	FIR No.	Dated	Under Sections	Name of Police Station	Status of the case
1.	117	14.5.2016	285, 506, 148, 149 IPC, 25 of Arms Act	Julana	Pending trial and fixed for 25.11.2019
2.	318	4.11.2021 6	302, 34, 201, 216, 176 IPC	Julana	Pending trial and fixed for 25.11.2019
Against petitioner-Manjit @ Romio there are following cases					
1.	866	23.10.2013	398,401 IPC, 25 Arms Act	City Jind	Acquitted on 13.2.2015
2.	707	1.9.2014	302, 120-B IPC, 25 Arms Act	City Jind	Pending trial and fixed for 20.11.2019
3.	680	27.12.2014	396.341 IPC	Narnaund Distt. Hisar	Acquitted on 10.5.18
4.	15	16.1.15	387 IPC 25 Arms Act	Safidon	Acquitted on 20.10.17
5.	157	16.2.17	148, 149, 186, 188, 307 IPC 25 Arms Act		Pending trial and fixed for 12.12.19
6.	40	21.8.17	42 Prison Act	Civil Lines Jind	Pending trial and fixed for 20.12.19
7.	36	26.1.18	323, 506 IPC	Civil Lines, Jind	Pending trial and fixed for 20.11.19
8.	228	30.5.18	25 Arms Act	Sadar Narwana	Pending trial and fixed for 20.11.19
9.	590	27.10.18	148, 149, 323, 452, 506 IPC	City Jind	Pending trial and fixed for 27.11.19
10.	102	5.5.19	25 Arms Act	Julana	Pending trial and fixed for 15.11.19

In view of the above, this Court is not inclined to grant concession of regular bail to the petitioners. Hence, both the petitions are dismissed .”

The learned counsel representing the petitioner contends that the petitioner has already suffered incarceration for a period of 4 years and 2 accused, namely Ashish and Vassil @ Shadik has already been granted the concession of bail.

On the other hand, the learned State counsel has submitted that the petitioner is facing criminal prosecution in as many as 4 cases including this one. It has also been submitted that 8 prosecution witnesses out of 16 have already been examined and now, the case is fixed for 02.03.2023.

It is evident that the petitioner is also facing prosecution in FIR No.318, dated 04.11.2016, registered under Section 302, 201, 216, 176, 34 IPC and 25/54/59 of the Arms Act, 1959 at Police Station Julana.

Keeping in view the aforesaid facts, this court does not find it appropriate to grant the concession of bail to the petitioner, particularly when the prosecution witnesses are being examined.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

February 06, 2023
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(ANIL KSHETARPAL)
JUDGE

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