

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-11442-2022 (O&M)
Date of decision: 06.02.2024

Gaurav Choudhary

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S. Cheema, Sr. Advocate with
Mr. Rose Gupta, Advocate,
Ms. Hardeep Kaur, Advocate and
Mr. Rajiv K. Trikha, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Gautam Dutt, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0043 dated 11.02.2022 under Sections 25(1-B)(a) of the Arms Act, 1959 and Sections 34, 387, 406, 420, 506 of the IPC registered at Police Station Civil Lines Gurugram, District Gurugram.

2. Learned State counsel in compliance of order dated 10.01.2024 has filed status report by way of affidavit of Mukesh Kumar, HPS, Assistant Commissioner of Police, City, Gurugram, on behalf of respondent No.1-State, which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned State counsel, at the outset, has drawn the attention of this Court to para 20 wherein it stands reflected that the

petitioner is involved in the following cases which was withheld from this Court:-

i. FIR No.32 dated 31.01.2021 under Section 147, 149, 323, 506 of the IPC and Section 30 of the Arms Act registered at Police Station Badshahpur, Gurugram.

ii. FIR No.142 dated 24.05.2000 under Sections 323, 506, 148, 149, 170, 171, 302 of the IPC registered at Police Station City Hansi, District Hisar.

iii. FIR No.173 dated 27.01.2022 under Sections 385, 506, 34 of the IPC registered at Police Station New Friends Colony, District South East Delhi.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. It is evident that all the above mentioned cases were registered against the petitioner prior to the registration of the instant FIR. Hence, there is no manner of doubt that the petitioner has not approached this Court with clean hands and has rather tried to mislead this Court qua his criminal antecedents. On this ground alone, the petitioner deserves to be shown the door and his prayer for anticipatory bail also declined.

6. Accordingly, the instant petition is hereby dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

06.02.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No