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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17335-2024
Date of Decision: 16.04.2024

Ashok @ Shoki @ Mohit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Anand Kaushal, Advocate
for the petitioner.

Mr. R.K.S. Brar, Addl. AG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a fourth petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.333, dated 22.07.2021, under Sections 307, 392, 394, 397, 511, 120-B IPC and Section 25 of the Arms Act, 1959, registered at Police Station Gohana City, District Sonapat.

2. It is submitted by the learned counsel for the petitioner that the present is a successive fourth bail petition and earlier three petitions have been dismissed as withdrawn. He further submitted that the petitioner is in custody for more than 2 years and 8 months and 11 out of 20 witnesses have already been examined. He submitted that considering the custody of the petitioner, he may be considered for grant of regular bail.

3. On the other hand, Mr. R.K.S. Brar, learned Addl. AG, Haryana has submitted that it is a case of bank robbery wherein the petitioner along with

other co-accused had committed robbery with pistols and the petitioner was caught on the spot. He also submitted that the petitioner is involved in two more cases and considering the gravity of the offence, he is not entitled for grant of regular bail. He further submitted that apart from the above, there is a strong apprehension that in case the petitioner is released on regular bail, then he may not only abscond from justice but may also repeat the offence.

4. I have heard the learned counsels for the parties.
5. The total custody of the petitioner is stated to be more than 2 years and 8 months. However, allegations against the petitioner are quite serious. As per the allegations, the petitioner along with the other co-accused had committed robbery in a bank using pistols and they were caught on the spot. The petitioner is also stated to be involved in two more cases. The apprehension expressed by the learned State counsel that in case the petitioner is released on regular bail, then he may not only abscond from justice but may also repeat the offence cannot be ignored and does carry weight. Even otherwise also, considering the gravity of the offence, this Court does not deem it fit and proper to grant regular bail to the petitioner.
6. Consequently, the present petition is hereby dismissed.
7. 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.

16.04.2024
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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