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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20961-2024
Date of decision: 03.05.2024

RAM PARKASH PANDIT

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. P. S. Bedi, Advocate
for the petitioner.
(Through Video Conferencing)

Mr. Adeshwar Singh Pannu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.172 dated 20.06.2022, under Section 392 of the IPC (Sections 411, 506 of the IPC added later on) and Sections 25, 27 of the Arms Act, registered at Police Station Rama Mandi, District Jalandhar, Punjab.
2. Learned counsel for the petitioner submitted that the present is a second successive regular bail petition and the earlier regular bail petition bearing No.CRM-M-19578-2023 was dismissed by this Court on 13.07.2023. He further submitted that the petitioner is in custody from 29.11.2022, which is more than 1 year and 5 months and only two prosecution witnesses have been examined till date. He also submitted that the petitioner has been falsely

implicated in the present case and there is no specific role attributed to the petitioner even as per the FIR and therefore, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Adeshwar Singh Pannu, AAG, Punjab on instructions from SI Jasvir Singh submitted that it is a case where the petitioner is a habitual offender and he is also involved in number of other cases including one case in which he has been convicted under Section 379 of the IPC. He further submitted that in the present case, the petitioner along with four other co-accused had come with muffled faces and as per the allegations, they entered in the office of the complainant and one of them was carrying a pistol, one was carrying a dattar, two boys were carrying bricks in their hands and one was empty handed and they threatened the complainant. Thereafter, they took cash amount of Rs.1,22,371/- by opening the drawer and also forcibly opened the almirah where cash amount of Rs.2,10,535/- and Rs.1,51,396/- was lying and in this way, the total amount which they looted was Rs.4,84,302/-. He further submitted that the petitioner was one of the aforesaid five persons and there is a strong apprehension that in case the petitioner is released on bail then he may not only abscond but he may also repeat the offence especially in view of the fact that he is also convicted in one case under Section 379 of the IPC.

4. I have heard the learned counsel for the parties.

5. It is a case where the petitioner is in custody for more than 1 year and 5 months and as per the learned counsel for the parties, only two prosecution witnesses have been examined. The petitioner is stated to be involved in other cases including one case in which he has been convicted under Section 379 of the IPC. Considering the allegations against the petitioner

in the present case, the gravity of the offence and the apprehension which has been expressed by the learned State counsel, this Court is of the view that the petitioner does not deserve the concession of regular bail.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

03.05.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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