



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.32555 of 2024 (O&M)  
Date of Decision: 16.07.2024

Mohd. Shavez Ahmad

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Akshay Kumar Dahiya, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana for the respondent.

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MAHABIR SINGH SINDHU, J.

Third petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) seeking bail pending trial to the petitioner in FIR No.203 dated 14.09.2022, under Sections 379-B, 411 & 414 of the Indian Penal Code, 1860, registered at Police Station Sushant Lok, District Gurugram.

(2) Above FIR was registered on the basis of complaint made by Kirat Kaur Kauser with the allegations that when she was going to her house in an Auto-rickshaw, petitioner came on a bike and snatched away her



mobile phone. She tried to resist and fell down from the auto; became unconscious and also received injuries.

(3) Learned Counsel contends that petitioner is in custody since 24.11.2022 and he has been falsely implicated in the present case.

(4) *Per contra*, learned State Counsel on instructions opposed the prayer while submitting that during her cross-examination, complainant has duly identified the petitioner and he is facing 12 other criminal cases, apart from 2 convictions to his credit.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) It is discernible that complainant has already been examined and she duly identified the petitioner.

That apart, petitioner is an habitual offender and he is involved in various criminal cases of similar nature. For reference, details of pending/conviction cases would be as under:-

**PENDING**

| <i><b>Sr. No.</b></i> | <i><b>FIR No. &amp; Date</b></i> | <i><b>Under Section(s)</b></i> | <i><b>Police Station(s)</b></i> |
|-----------------------|----------------------------------|--------------------------------|---------------------------------|
| <i><b>1.</b></i>      | <i>385/2019</i>                  | <i>379-A, IPC</i>              | <i>DLF PH.-II, Gurugram</i>     |
| <i><b>2.</b></i>      | <i>211/2022</i>                  | <i>379-A, IPC</i>              | <i>DLF PH.-I, Gurugram</i>      |
| <i><b>3.</b></i>      | <i>197 dated 13.09.2022</i>      | <i>379-A, IPC</i>              | <i>DLF PH.-I, Gurugram</i>      |
| <i><b>4.</b></i>      | <i>215/2022</i>                  | <i>379-A, IPC</i>              | <i>DLF PH.-I, Gurugram</i>      |
| <i><b>5.</b></i>      | <i>156/2022</i>                  | <i>379-A, IPC</i>              | <i>DLF PH.-I, Gurugram</i>      |
| <i><b>6.</b></i>      | <i>199/2022</i>                  | <i>379-A, IPC</i>              | <i>DLF PH.-I, Gurugram</i>      |
| <i><b>7.</b></i>      | <i>157/2022</i>                  | <i>379-A, IPC</i>              | <i>DLF PH.-I, Gurugram</i>      |



|     |                      |                          |                       |
|-----|----------------------|--------------------------|-----------------------|
| 8.  | 146 dated 14.07.2022 | 379-A, IPC               | Sushant Lok, Gurugram |
| 9.  | 327 dated 06.10.2022 | 379-A, IPC               | Sector 53, Gurugram   |
| 10. | 240 dated 24.07.2022 | 379-A, IPC               | Sector 53, Gurugram   |
| 11. | 199 dated 27.062022  | 379-A, IPC               | DLF PH.-III, Gurugram |
| 12. | 289 dated 08.10.2022 | 379-A, 216, 120-B<br>IPC | DLF PH.-III, Gurugram |

**CONVICTION**

| <i>Sr. No.</i> | <i>FIR No. &amp; Date</i> | <i>Under Section(s)</i> | <i>Police Station(s)</i> |
|----------------|---------------------------|-------------------------|--------------------------|
| 1.             | 412 dated 17.11.2019      | 379-A, 412, IPC         | Sector 17-18, Gurugram   |
| 2.             | 78/2021                   | 379-A, IPC              | DLF PH.-I, Gurugram      |

(7) In view of the above, this Court is not inclined to grant bail pending trial to the petitioner at this stage. As a result thereof, there is no option, except to dismiss the petition.

(8) Ordered accordingly.

(9) Needless to say that the observations made above be not construed as an expression of opinion on merits of the controversy in any manner.

Pending application(s), if any, shall also stand disposed off.

16<sup>th</sup> July, 2024  
Gagan

( MAHABIR SINGH SINDHU )  
JUDGE

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | Yes |