

2024:PHHC:129116



357 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-32650-2024 (O&M)
Decided on:-26.09.2024**

IshaPetitioner..

VS.

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Farukh Abdullah, Advocate,
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.232, dated 01.09.2022, registered under Sections 186, 332, 353, 307 IPC and Section 3(2) of PDPP Act, 1984 as well as Section 25 of the Arms Act, 1959, at Police Station Pinangwan, District Nuh, wherein, the petitioner has been implicated with the following allegations:-

“On 31.8.2022 complainant-Rajesh Kumar was posted as ASI in CIA Staff, Nuh whereby on the said date he alongwith other police officials in Government Bolero vehicle was present in connection with wanted criminal and P.O. accused at bus stand Pinangwan whereby secret informer had informed him that the accused Isha son of Nabba resident of Ghasera, P.S. Sadar Nuh

in case FIR No.182/2022 under Sections 307, 387, 506/34 of I.P.C. and Section 25-54-59 of Arms Act, Police Station Rozka Meo is concealing him ter turn of village Pinangwan with his I/20 car without number plate and would go to evade his arrest towards Rajasthan. If raid be conducted, he could be apprehended. He also do have illegal pistol with him. Thereupon, independent witness were tried to associate in the investigation but none was ready. Thereupon, the police party alongwith secret informer reached at the spot whereby barricading was erected. At that time, one I/20 car without number of white colour was seen coming at high speed from village Rehpua side. On the signal of secret informer, the police party had also blocked the road with their official vehicle but driver of the said I/20 car had straightaway collided with his vehicle against the Government Bolero vehicle. Thereupon, the police party had immediately rushed towards him who after alighting from the vehicle had straightaway with intention to kill him had fired at the police party whereby they had narrow escaped immediately. Thereafter, he had again fired whereby ASI Tek Chand was also have had narrow escape. However, with the help of police party he was nabbed with the weapon and he had disclosed his name as applicant- accused Isha. His vehicle was found having without number plate. Due to hit, the government vehicle as well as the said 1/20 car were also got damaged. The accused car was without having number plate from front side or backside.”

2. Learned counsel for the petitioner submits that the present is a case of no injury and the petitioner is behind the bars for the past more than 02 years and trial is likely to take some time. He further submits that the petitioner has been falsely implicated in the FIR in question and thus, he deserves the concession of regular bail.

3. On the other hand, prayer made herein has been opposed at the

instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in 14 more cases, thus, he prays for dismissal of the present petition

4. I have heard learned counsel for the parties and gone through the paper book. I am unable to find substance in the submissions made on behalf of the petitioner.

5. As per the record, the petitioner is stated to be involved in following 14 FIRs:-

Sr. No.	Case	Under Sections	Police Station
1.	FIR No.537 dated 29.06.2014	u/s 392, 394, 34 IPC	P.S. Sohna
2	FIR No.760 dated 13.04.2017	U/s 379 IPC	P.S. DLF, Sector 29, Gurugram
3.	FIR No.445 dated 05.12.2017	U/s 379, 420 IPC	P.S. Sector 185, Gurugram
4	FIR No. 446 dated 05.12.2017	u/s 379, 420 of IPC	Police Station Sector 18, Gurugram
5	FIR No. 344/2017,	u/s 379, 420 of IPC	Police Station Sector 50, Gurugram
6	FIR No. 345/2017	u/s 379, 420 of IPC	Police Station Sector 50, Gurugram
7	FIR No. 347/2017	u/s 379, 420 of IPC	Police Station Sector 50, Gurugram
8	FIR No. 348/2017	u/s 379, 420 of IPC	Police Station Sector 50, Gurugram
9	FIR No. 365/2017	u/s 379, 420 of IPC	Police Station Sector 50, Gurugram
10	FIR No. 417 dated 11.12.2018	u/s 148, 149, 307, 342, 365, 379-B, 427 of IPC	Police Station City Sohna
11	FIR No. 446 dated 24.07.2019	u/s 174-A of IPC	Police Station City Sohna
12	FIR No. 182 dated 31.08.2022,	u/s 307, 387, 506 of IPC, and 25-54-59 of Arms Act,	P.S.Rozka Meo (Nuh)
13	FIR No. 292 dated 13.06.2023,	u/s 174-A of IPC,	P.S. City Sohna.
14	FIR No. 175 of 2019	u/s 42 Prisons Act	P.S. Bhondsi, Gurugram

6. A perusal of the FIR in question shows that the petitioner even attacked the police party and hit the government vehicle with his car, which

was even not having any number plate, besides it, he even fired shot upon the police party. In such circumstances while considering the gravity of offence and the manner in which it has been committed, the petitioner is not entitled for grant of relief of regular bail.

7. In view of the discussion made herein above, the present petition is thus, dismissed being devoid of merits.

26.09.2024
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(HARKESH MANUJA)
JUDGE

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