

244 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-59056-2023 (O&M)
Date of Decision: 14.02.2024

Arun @ Ajay

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Pooja Jaglan, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of bail pending trial to the petitioner in FIR No.179 dated 01.09.2022 registered under Sections 457 & 380 read with Section 34 IPC at Police Station, Sadar Panipat, District Panipat.

2. As per case of the prosecution, stolen property consisting of 38 batteries, one cylinder, one motor cycle without number plate and 15 mobile phones were recovered from the possession of petitioner.

3. Learned counsel contends that petitioner has been falsely implicated in the present case; there is delay of 03 days in lodging the FIR and he is in custody since 12.01.2023.

4. *Per contra*, learned State counsel while opposing the prayer of the petitioner, submitted that petitioner is a habitual offender and he is facing thirteen more cases of the similar nature.

5. Heard learned counsel for the parties and perused the paper-book.

6. It is acknowledged on behalf of the petitioner that he is involved in 13 more criminal cases and details of which are as under:-

<i>Sr. No.</i>	<i>FIR</i>	<i>Dated</i>	<i>Sections</i>	<i>Police Station</i>
1.	661	02.08.2022	379 IPC	CH. Bagh
2.	459	06.08.2022	379 IPC	Sec.29
3.	600	01.10.2022	379 IPC	Sec.29
4.	686	12.08.2022	379 IPC	CH. Bagh
5.	129	03.06.2022	379 IPC	Sanoli
6.	181	23.04.2022	379 IPC	M. Town
7.	896	21.11.2022	379 IPC	Old Inds. Area
8.	514	28.11.2022	379 IPC	M. Town
9.	06	06.01.2023	379 IPC	M. Town
10.	07	07.01.2023	379 IPC	M. Town
11.	23	08.01.2023	379 IPC	CH. Bagh
12.	25	08.01.2023	379 IPC	CH. Bagh
13.	26	08.01.2023	379 IPC	CH. Bagh

7. In view of the above, there remains no doubt that petitioner is a habitual offender, therefore, this Court is not inclined to grant him bail pending trial.
8. Thus, there is no option, except to dismiss the present petition, at this stage.
9. Ordered accordingly.
10. The above observations be not construed as an expression of opinion on the merits of the case.
11. Pending criminal misc. application(s), if any, shall also stand disposed off.

14.02.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No