

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

219

CRM-M-48951-2024

Date of decision: 7th February, 2025

Parvinder @ Parveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

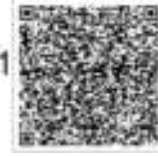
Present: Mr. Mandeep Sindhu, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

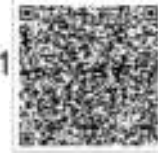
The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 272 dated 08.07.2023 registered under Sections 392, 397, 364-A, 384, 411 read with Section 34 of IPC and Section 25(1-B) (a) of Arms Act, 1959 at Police Station Sector 40, Gurugram, District Gurugram.

2. As per the allegations, on the night of 07.07.2023, the complainant Saurabh Bali was going back towards his house. On the way, he stopped his vehicle near Sector 30, Gurugram to ease himself. Suddenly two youths came from behind and opened an assault upon him while saying that he had hit somebody. In the meanwhile, one youth entered inside his vehicle and pushed him on the rear seat. He was shown some firearm. He was abducted and was taken by those youths in his own vehicle. They took away



his wallet, gold bracelet and ring worn by him and also made him withdraw money from ATM booths by using his Debit, Credit cards and Paytm. Thereof, they threw him out of his vehicle at Dwarka express way and escaped with his vehicle. After registration of FIR, investigation proceedings were initiated. The petitioner was joined into investigation of this case on the basis of suspicion. He was interrogated and suffered disclosure statement admitting his involvement in the offence and also took the names of the co-accused. He also demarcated the place of occurrence and got recovered the vehicle, which was used by him at the time of occurrence. The test identification parade of the petitioner was got conducted and he was duly identified by the complainant. He also suffered another disclosure statement and got recovered the jewelry looted from the complainant and one country made pistol. The co-accused were also arrested. Presently, the petitioner along with the co-accused is facing trial for commission of offences punishable under Sections 392, 397, 411 read with Section 34 of IPC and Section 25(1-B)(a) of Arms Act.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 09.07.2023. He was not named in the FIR and has been implicated only on the basis of suspicion. The disclosure statement allegedly suffered by him, is not admissible in evidence. The ingredients for commission of the offences for which he has been challaned and charge-sheeted are not attracted against him. Trial is likely to take time. His further detention would not serve any useful purpose. Therefore, it is



urged that he deserves to be extended benefit of bail.

4. *Per contra*, learned Assistant Advocate General, Haryana has argued that the allegations against the petitioner are specific and grave in nature. He was identified by the complainant. The complainant is yet to be examined. There are chances of petitioner's intimidating the witnesses or absconding, if extended benefit of bail. He is a habitual offender and four criminal cases, one of which is murder case, have been registered against him and are pending. Trial is going on at a proper pace. Hence, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in furtherance of his common intention with the co-accused is alleged to have intercepted the complainant on the fateful night, abducted him, extorted money from him and robbed him of his belongings. The allegations against him are specific and serious in nature. The complainant is yet to be examined. Learned Assistant Advocate General, Haryana has placed on record a copy of order dated 14.01.2025 passed by learned trial Court which shows that the complainant was present for recording his statement before the learned trial Court on that day but the same could not be recorded due to absence of one of the accused. As such, it cannot be stated that there is any undue delay in conclusion of the trial as against the petitioner. Keeping in view the role attributed to him in commission of the subject offences, the antecedents of the petitioner and the attendant facts and circumstances of the case but without meaning to make



any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

7th February, 2025
Parveen Sharma

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