



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

**CRM-M-18191-2026 (O&M)
Decided on : 06.05.2026**

Hakam @Jarra

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Argued by : Mr. Saifuddin Shams, Advocate,
Ms. Shabnam Shams, Advocate,
Ms. Safiya Shams, Advocate and
Mohd. Saad, Advocate for the petitioner.

Ms. Deepali Verma, AAG Haryana.

SURYA PARTAP SINGH, J.

This petition for bail is the third petition, filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.157 dated 25.06.2021, for the commission of offence punishable under Sections 186, 224, 225, 307, 332, 353, 427, 511 of Indian Penal Code [corresponding to Sections 221, 262, 263, 109, 121(1), 132, 324(4), 62 of BNS], Section 25 of Arms Act and Section 3(2) of Prevention of Damage to Public Property Act, 1984, Police Station Sadar Tauru.

2. The abovementioned FIR came into being at the instance of 'SI Satya Parkash', who had reported that on 25.06.2021, when he was leading a team of police officials, deputed for the arrest of absconding criminals of the



area, he received a tip-off from a reliable source that a wanted criminal, namely 'Dawood', was present on the unmetalled passage leading from Village Chilawali to Bavla. As per above-named police officer, on receipt of abovementioned information, he along with police party went to the abovesaid spot and spotted the above-named wanted criminal. As per report submitted by the above-named police officer, the moment the abovesaid person noticed that the police party was approaching him, he tried to run away, but after a chase for about 200 meters, he was apprehended by the police party. According to report of above-named police officer, on enquiry he disclosed his name as 'Dawood'.

3. The above-named police officer further reported that the moment 'Dawood' was apprehended by the police party, he screamed for help and called a person 'Hakam @Jarra' (the petitioner herein) to fire gunshots at the police party and rescue him. According to above-named police officer, thereafter Hakam @Jarra fired a gunshot, which passed very close to the body of 'SI Satya Parkash'. It was also reported by the above-named police officer that thereafter a large gathering of villagers arrived on the spot and they started stone pelting, and damaged two official vehicles of the police party. As per above-named police officer, the situation was barely controlled by the police party by firing gunshots in the air.

4. It is the case of the prosecution that in view of abovementioned report, formal FIR of this case was lodged and the investigation taken up. According to prosecution, during the course of investigation, the present petitioner was formally arrested.



5. Heard.

6. It has been contended by learned counsel for the petitioner that the petitioner has been subjected to prolonged incarceration due to delay in trial. As per learned counsel for the petitioner, the petitioner has already suffered incarceration for a period of more than 03 years and 03 ½ months, and that the trial is taking place at a snail pace and therefore, on account of delay in trial, which is breaching the fundamental right of speedy trial guaranteed to the petitioner, the petitioner is entitled to the benefit of bail.

7. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, in view of pivotal role played by the petitioner in the commission of crime, vis-à-vis the gravity of offence pertaining to the present case, the petitioner is not entitled for the benefit of bail. The learned State Counsel has further contended that otherwise also this is third petition for bail, filed by the petitioner, and that from the date of dismissal of former bail petition, no significant change in circumstance has taken place, and therefore, this third petition for bail is not maintainable.

8. The record has been perused carefully.

9. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that the petitioner is a person, who has faced prosecution in 14 other cases also, in addition to present one;



- ii. that the petitioner is a person, who misused the concession of bail and was declared a proclaimed person in three cases, resulting into three FIRs under Section 174(A) of IPC against him;
 - iii. that the most prominent role, i.e. firing of gunshot on police party, is attributed to the petitioner;
 - iv. that this is a third petition filed by the petitioner and from the date of dismissal of second bail petition, no significant change in circumstance has taken place; and
 - v. that on the ground of parity also, the petitioner is not entitled for the benefit of bail as the role attributed to the co-accused is far below, in gravity, in comparison to the role attributed to the present petitioner.
10. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby held that the petitioner is not entitled for the benefit of bail and the present petition being devoid of merit deserves dismissal.
11. Accordingly, the present petition is hereby *dismissed*.
12. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

06.05.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No