



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

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CRM-M-32636-2024

Date of decision: 27.01.2025

NARESH ALIAS NARENDER

...Petitioner

V/s

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pardeep Panwar, Advocate, for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.457 dated 10.09.2023 under Sections 34, 323, 379-A, 506 of the IPC (challan presented under Sections 379-B, 506, 34 of the IPC), registered at Police Station City Sohana, District Gurugram.

2. Learned counsel for the petitioner submits that a false and fabricated case has been planted upon him. It has been further submitted that the petitioner has now been in custody since 10.10.2023, however, only 05 prosecution witnesses out of the 13 have been examined till date. Hence, the possibility of the trial concluding in the near future does not arise. Learned counsel submits that in view of his long incarceration and totally false and baseless allegations levelled against the petitioner in the present case, he deserves to be extended the concession of bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has submitted that there are



very serious and grave allegations levelled against the petitioner in the FIR in question which stands reproduced here in under:

“To, SHO, Police Station City Sohana, District Gurugram. Sir, it is requested that I Naveen son of Hari Ram is resident of Village Nangli, Police Station City Sohana, District Gurugram. On dated 09.09.2023, at 11.00 P.M. I was going to my home from Sohana. Naresh son of Jeet Ram, resident of Village Nangli and Amarjeet son of Rajbir resident of Village Nangli were standing in front of Mega School. When I was going near to them, then Amarjeet caught me from neck and Naresh forcibly took out Rs.10000/- from my right pocket of my lower and after throwing me down, both of them started running by sitting in the vehicle. I tried to stop them. Then Naresh with an intention to kill me hit his KIA car with me. Due to struck with vehicle, I fell down towards Bonat of the vehicle. I received many injuries on my arm, leg and head. My phone got damaged due to hit with vehicle. On receiving information, my brother and my friend came on the spot and I made a phone call from the phone of Manish at 112 number. Police came on the spot and my family members took me to Hospital. Doctor gave me MLC. Today I came present in the police station and giving complaint against Naresh and Amarjeet. Legal action be taken against them.”

Learned State counsel has, in particular, drawn the attention of this Court to paragraph 10 of the affidavit dated 18.01.2025 filed by the State. While drawing the attention of this Court to the relevant part of the affidavit, it has been submitted that the petitioner is involved in multiple criminal cases of identical nature including a case under Section 174-A of the IPC. It has been further submitted that there is every likelihood that in case the petitioner is enlarged on bail, he would yet again be involved in some other offences of identical nature or even abscond more so since the



complainant has supported the case of the prosecution in its entirety and identify the petitioner during trial.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 27, 2025
poonam

(MANJARI NEHRU KAUL)
JUDGE

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