

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-11650 of 2015  
Date of decision: May 15, 2015

Anil @ Dolu and another

.... Petitioners..

Versus

State of Haryana

.... Respondent..

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Nipun Vashisht, Advocate,  
for the petitioners.

Mr. C.S. Bakshi, Addl.A.G., Haryana,  
for respondent-State.  
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**Jaspal Singh, J.**

This petition has been preferred by Anil @ Dolu and Ms. Manju-petitioners under Section 438 of the Code of Criminal Procedure (for brevity, 'Code') seeking their pre-arrest bail, in case bearing FIR No. 53, dated 28.02.2015, under Sections 326, 342, 384, 506, 148 and 149 IPC, registered at Police Station Sushant Lok, District Gurgaon.

2. It is an undisputed fact that it is a version and cross-version case. The petitioners, who are accused in FIR No. 53, dated 28.02.2015 have got registered, FIR No. 51, dated 26.02.2015 against complainant-party on the charge of collecting illegal money from rehriwala. From the facts and circumstances of the case, it emerges that both the rival groups have been collecting illegal money from street vendors. A specific injury has been attributed to petitioner No.1- Anil @ Dolu as he inflicted

a LATHI blow on the head of complainant whereas his companion fled away from the spot after leaving his motorcycle and co-accused Anil @ Dolu. Complainant was dragged inside the house and was confined in a room and after about 10 minutes thereof, Anil @ Dolu fractured the foot of complainant with an iron rod by placing his feet under bricks. So, specific injury has been attributed to Anil @ Dolu. Though, role ascribed to Ms. Manju by complainant is that she dealt SPADE (KASSI) blow. As a result of which, he (complainant) sustained grievous injuries on his head but there is no specific corresponding injury in this regard. Moreover, petitioner No. 2 is a lady and occurrence is a result of rivalry between two groups, who are illegally engaged in extorting money from street vendors. She has also joined the investigation. Accordingly, as far as petitioner No.2 is concerned, she is entitled to extend the concession of pre-arrest bail.

3. Petition qua petitioner No.2 is allowed and she is ordered to be released on interim bail, in the event of her arrest at the satisfaction of arresting officer subject to provisions envisaged under Section 438(2) Cr.P.C.

4. As regards petitioner No. 1-Anil @ Dolu, he does not deserve the concession of bail being engaged in illegal activities. Moreover, grievous and specific injury has been attributed to him. Accordingly, petition qua petitioner No. 1, is dismissed.

5. Petition stands disposed of accordingly.

**May 15, 2015**  
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**(JASPAL SINGH)**  
**JUDGE**