

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

**Crl. Misc. No.M-13320 of 2015 (O&M)
Date of decision: 05.05.2015**

Ashok Kumar

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Amit Jain, Advocate
for the petitioner.

Mr. S.S. Pannu, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No.122 dated 21.02.2015, registered under Sections 148, 149, 323, 447, 448, 452, 427, 307, 506, 120-B, 201 IPC and Section 25-54-59 of Arms Act, Police Station City Bhiwani, District Bhiwani.

The counsel for the petitioner contends that the petitioner was innocent and has been falsely implicated and no injuries were attributed to him and no recovery is to be effected and he was ready to join the investigation.

The State counsel has opposed the prayer and states that 30 – 40 people had descended on the spot and they had come with a prior concert to get the property vacated and the petitioner was part of the assembly and the complainant had narrated the sequence as

and how those people including the petitioner, started throwing the belongings of the complainant and when the complainant tried to stop him Raju Sharma inflicted an axe blow on the head with an intention to kill but the blow fell on his right arm and thereafter, Govind and Veneet rained danda blows on his chest and back.

The State counsel urges that some people had come in the Alto Car which was driven by the petitioner and the police has not been able to arrest all of them and custodial interrogation is necessary as recoveries have to be made.

Considering the gravity of the incident and also keeping in mind that a large number of people had come with a common intention to get the property vacated from the complainant. It was the sheer number of people which made it possible for the accused side to succeed. No case for anticipatory bail is made out.

The petition is dismissed.

05.05.2015

sunil

(ANITA CHAUDHRY)
JUDGE