

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15235 of 2015

Date of Decision : 13.05.2015

Rajat @ Jojo

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Surinder Mohan Sharma, Advocate
for the petitioner.

R.P. Nagrath, J.

Prayer in the instant petition is for grant of anticipatory bail under Section 438 Cr.P.C. in FIR No. 393 dated 04.11.2014 for offences under Sections 148, 149, 323, 326, 307 and 506 of Indian Penal Code (IPC), registered at Police Station Ambala Cantt. District Ambala.

There was a small skirmish between the complainant, his friend Sukha Singh @ Sukhpreet Singh on the one hand and Ankit @ Tiger on the other, in the premises of S.D. College on 03.11.2014 at 11.00 a.m. Ankit @ Tiger aforesaid took out a knife and threatened the complainant and his friend and left the spot. Thereafter, at about 01.40 p.m. on the same day a few boys including Ankit @ Tiger and other named boys including the petitioner came armed with weapons and attacked the complainant and his friends in the college premises itself. The complainant ran towards the college ground that Gurjinder co-accused inflicted blow with sword on the left side on his waist and another sword blow on the head of Sukha Singh @ Sukhpreet Singh.

The accused persons gathered around Sukha Singh @ Sukhpreet

Singh.

Learned counsel for the petitioner, vehemently, contended that there was no specific role attributed to the petitioner and co-accused have since been released on regular bail.

Annexure P-2 is the copy of order passed by this Court in CRM-M-13180 of 2015 decided on 01.05.2015. Noticing the fact that the injured have since been examined and that two more accused were arrested and supplementary challan was presented and taking into account that Gurjinder co-accused was in custody from 10.11.2014, he was granted concession of regular bail.

This kind of fear created in the college premises with this incident in which serious injuries were caused to the witnesses needs to be seriously viewed. Despite that the petitioner had audacity to keep himself away from being arrested for about six months. This has also resulted in delay in disposal of the case and would mean harassment to the witnesses again, in appearing during the trial. It was noted in the order (Annexure P-2) that two more accused have been arrested and supplementary challan was to be presented. The FIR was promptly registered on 04.11.2014 in respect of the occurrence taking place in the evening on 03.11.2014.

In view of the facts discussed above, the present is not a case of extending the concession of extraordinary relief of pre-arrest bail to the petitioner.

Dismissed.

May 13, 2015
jk

(R.P. NAGRATH)
JUDGE