

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-15421-2015
Date of decision:13.05.2015

Mahi Pal Bohat

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Balkar Singh, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.56 dated 1.4.2015 registered under Sections 186, 332, 353, 307 and 506 of the Indian Penal Code at Police Station Bilaspur, District Yamuna Nagar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case at the instance of the complainant, who himself was a police officer. He further submits that so far as the earlier case which was pending against the petitioner, that was relating to Section 138 of the Negotiable Instruments Act, 1881 ('NI Act' for short) In the said case, petitioner has already settled the matter amicably with the complainant of the said case. However, when this complainant police officer came to arrest the petitioner with non-bailable warrants, having been issued against the petitioner in that very case of Section 138 of NIA, this occurrence has taken place. He would next contend that there was no occasion for the petitioner to cause injuries to the complainant police officer. He prays for allowing the present petition.

Having heard the learned counsel for the petitioner at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the present case noticed hereinabove, petitioner has not been found entitled for concession of pre-arrest bail. It is so said because even if the facts narrated against the petitioner might be exaggerated one but the fracture suffered by the complainant would not be a false allegation of the complainant.

Under these circumstances, custodial interrogation of the petitioner would be the compulsive necessity of the investigating agency so as to conduct an effective investigation. No case for anticipatory bail is made out.

Dismissed.

13.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE