

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

**CRM-M No. 19140 of 2015 (O&M)
Date of decision: 03.07.2015.**

Guranditta Singh Petitioner.

Versus

State of Haryana Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Vivek Suri, Advocate, for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana, for the respondent.

NAVITA SINGH, J. (ORAL)

Counsel for the petitioner submits that the petitioner was not named in the FIR as it was only mentioned that Sarpanch of village Ganga had argued with the Executive Engineer. He also referred to copy of order dated 18.06.2015 whereby Judicial Magistrate 1st Class, Sirsa, who was on duty, admitted one of the accused, namely, Mahabir son of Manphool to bail. Said Mahabir was named in the FIR along with others as the persons who obstructed the public servants in discharge of their duty.

State counsel, on the other hand, submitted that the FIR was lodged on 09.05.2015 and on that very date, the Executive Engineer Mr. Ashok Kumar Bhanot had given a letter to SHO, Police Station Sadar Dabwali, stating that the Sarpanch Guranditta Singh, i.e. the present petitioner, had picked up a chair and hit him.

Counsel for the petitioner submitted that in the FIR it is simply mentioned that one person had picked up a chair and hit the Executive

Engineer and that person could be anyone.

The contention of the counsel for the petitioner, however, is not acceptable because the FIR was lodged by Vinod Kumar, who was driver on a vehicle with Mohan Lal, SDO, and since there was a mob he may not have been able to identify the person who hit the Executive Engineer with the chair, whereas the person who was injured, i.e. the Executive Engineer, himself was the best person to inform the police as to who had hit him with the chair.

Also, even if the word 'Sarpanch' is used in the FIR, it could obviously be construed that it was the petitioner because he was the Sarpanch of village Ganga at the relevant time and at one point of time there is one Sarpanch in the village. Also name Gurditta Singh is given.

In view of the specific allegations made against the petitioner who being the Sarpanch was expected to act in a responsible manner and dissuade others from taking law in their hands, rather he instigated them and also hit the Executive Engineer with the chair, no ground for grant of bail to the petitioner is made out.

Dismissed.

(NAVITA SINGH)
JUDGE

03.07.2015
Ramesh