

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

Crl.Misc.No.M-22821 of 2015

Date of decision : 16.7.2015

Gurnaib Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.R.K.S.Brar, Advocate
for the petitioner.

.....

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on bail in terms thereof in case FIR No.41 dated 16.4.2015 under Sections 307/333/323/353/309/186/506/148/149/120-B IPC registered at Police Station Passiana, Distt. Patiala.

The allegations as set out in the FIR indicate that the petitioner along with his family members had set up a road block with a tractor trolley and attempted to resist the police to take possession of the property on which they were allegedly in wrongful possession.

Learned counsel for the petitioner contends that he was in rightful possession of the property and the police had forcibly

tried to retrieve possession from him. The petitioner having resisted the police and also having attempted self immolation has led to the registration of FIR which the learned counsel for the petitioner attributed to the fault of the police and as a cover up for causing injuries to the petitioner which are said to be serious in nature resulting in hospitalisation of the petitioner for a long time.

In the considered view of this Court merely because the petitioner has suffered injuries would not ipso facto lead to a conclusion or inference that the petitioner is a victim of atrocities of the police particularly when the petitioner has failed to show that the police had unauthorisedly tried to retrieve possession of the land from him. Evidently, the petitioner has resisted the police and in the process some injuries have been caused to him as well. The facts would overwhelmingly suggest that the petitioner had indeed tried to obstruct the police in retrieving the possession which itself shall be construed to be a serious offence.

No ground to grant anticipatory bail.

Dismissed.

16.7.2015

(MAHESH GROVER)
JUDGE

dss