

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

**CRM-M No. 30462 of 2015
Date of decision : 19.11.2015**

Shish Pal Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.J.S.Bedi, Senior Advocate with
Ms.Diya Sodhi, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr.Pawan Kumar, Senior Advocate with
Mr.Abhimanyu Batra, Advocate for the complainant.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR No. 674 dated 20.12.2014, under Sections 148, 149, 302, 323, 506 IPC and Section 25 of the Arms Act, registered at Police Station Hodal, District Palwal.

Today learned AAG has filed an affidavit of B.Sateesh Balan, Superintendent of Police, Mewat at Nuh in pursuance of order dated 22.09.2015 as per which the petitioner is facing two cases, one bearing FIR No. 309 of 2009, under Sections 186, 353, 506 IPC, and the other bearing FIR No. 211 of 2012 under Sections 148, 149, 307, 324, 506 IPC and Section 25 of Arms Act, both registered at Police Station Hodal. Learned AAG, on instructions from HC Ramesh Kumar, states that the petitioner is not required

for custody. Learned senior counsel appearing for the petitioner states that in this view of the matter this petition has been rendered infructuous.

Learned senior counsel appearing for the complainant has, however, argued that this highlights the partisan role being played by the police and that fact has been strengthened by the instructions given to the learned AAG today.

Be that as it may, once the stand of the State is that the personal custody of the petitioner is not required, in this application for anticipatory bail the Court cannot look into the allegations against the police. The complainant may file a petition for seeking action against any alleged guilty police officer.

In the circumstances the order dated 22.09.2015 is made absolute.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

November 19 , 2015
sunita