

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.20382 of 2016
Date of Decision.17.06.2016

Rana Partap Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

Present: Mr. Rahul Rathore, Advocate
for the petitioner.

Mr. Siddharth Sanwaria, DAG, Haryana.

Mr. G.S. Sandhu, Advocate
for the complainant.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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?

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AMIT RAWAL J. (ORAL)

Learned counsel for the petitioner states that the petitioner was already in possession of the property and in an attempt for taking forcible possession of the disputed property, one of the petitioners, who is brother of the present petitioner, Jagir Singh had received the bullet injury on his leg and he is still taking treatment from PGI, Chandigarh. He further submits that it is a case of version and cross-version and the police is not registering FIR lodged at their instance against the accused persons whereas no injury is attributed to the petitioner qua the injured as it is a stray ballot injury and the custodial interrogation of the petitioner is not necessary.

The counsel for the State argues that the petitioner cannot be allowed to take the law in his own hands and cause breach of law and order situation, much less, breach of peace.

The counsel for the complainant submits that the petitioner along with his associates in an attempt to take the forcible possession of the property, caused various injuries to the complainant party and he should not be granted the concession of bail as he will interfere with the investigation, much less, will prevent the witness from deposing fearlessly.

I have heard learned counsel for the parties and appraised the paper book as well. It is conceded position on record that brother of the petitioner, Jagir Singh, is admitted in the hospital with a bullet injury. Without going into the merits of the case of whether it is a self-inflicted injury or not, which is a matter of enquiry and the fact that it is a case of version and cross-version, much less, when no injury is attributed to the petitioner qua the injured, I am of the view that the petitioner should be given the concession of anticipatory bail, if he undertakes to maintain the peace. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Arresting Officer, subject to the conditions contained in Section 438(2) Cr.P.C and he will join the investigation as and when required.

The crl. misc. petition is disposed of.

(AMIT RAWAL)
JUDGE

June 17, 2016
Pankaj*