

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30422 of 2016

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Date of decision:19.9.2016

Devi Singh and others

...Petitioners

v.

State of Haryana

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Vikas Bahl, Senior Advocate with Mr. Manbir Singh Batth,
Advocate for the petitioners.

Mr. Vikramjit Singh, Additional Advocate General, Haryana for
the respondent-State.

Mr. Anil Kumar Lamdharia, Advocate for the complainant.

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Inderjit Singh, J.

The petitioners have filed this petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for grant of anticipatory bail in case FIR No.0281 dated 5.8.2016 registered for the offences under Sections 147, 149, 153-A, 295, 295-A and 427 IPC and Sections 3 and 4 of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Matlauda, District Panipat.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General,

Haryana has put in appearance on behalf of the respondent-State and Mr. Anil Kumar Lamdharia, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned senior counsel for the petitioners as well as learned Additional Advocate General, Haryana appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

As per the allegations in the FIR, the accused/petitioners had broken idol/sculpture of Dr. Ambedkar Sahib at Assan Kalan. It is in the FIR that in the year 2013, the Panchayat by passing a resolution had reserved this land and in the year 2014, MP and DC had laid foundation stone and idol/sculpture of Dr. Ambedkar Sahib was installed. On 5.8.2016, in the morning at about 3.00 a.m., by towing the sculpture of Dr. Ambedkar Sahib with tractor, the same had been thrown in dirty drain and on visiting the spot, the Police found that by this act disrepute was being caused to the 'Chamar' community (Samaj) and Dr. Ambedkar Sahib. The present petitioners are named in the FIR. The allegations are against them that they had broken this idol/sculpture of Dr. Ambedkar Sahib and then threw in the dirty drain. The learned State counsel stated that they had also exhibited call details of some accused. It is also argued by the learned counsel for the complainant that the accused side was raising civil dispute regarding the possession of the land.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences, I do not find it a fit case where the

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present petitioners are entitled to the benefit of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

September 19, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No