

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

CRM-M No.36595 of 2016.

Date of Decision: 20.10.2016.

Sukhvinder Singh

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

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

Mr. Karan Sharma, Assistant Advocate General, Haryana.

SNEH PRASHAR, J.

The petitioner is wanted in case First Information Report No.96 dated 24.05.2016 under Sections 148, 149, 186, 307, 332, 353 and 427 of the Indian Penal Code (for short, "IPC") at Police Station Guhla, District Kaithal. Apprehending his arrest, he has moved the instant petition for being given the benefit of anticipatory bail.

The submissions made by Mr. Rahul Vats, learned counsel representing the petitioner and Mr. Karan Sharma, learned Assistant Advocate General, Haryana have been heard.

Learned counsel for the petitioner submits that the First Information Report lodged by ASI Dalbir Singh contains a false story. The fact is that the police officials under the influence of liquor had rammed their car into Truck No.HR-64-9025 and when the car was damaged, they felt offended and started beating the petitioner and his companions who

were travelling in another vehicle. Learned counsel also contended that even if the story of the police is taken at its face value, the ingredients of offence under Section 307 IPC are not attracted as the injuries suffered by the police officials were all simple in nature. Learned counsel also submitted that all other co-accused of the petitioner were arrested and had been enlarged on regular bail.

On the other hand, learned State counsel submitted that the occupants of Truck No.HR-64-9025 had tried to run over the police officials when they were trying to stop the same. The petitioner and his co-accomplices immediately reached the spot in another vehicle. They abused the police officials and were trying to flee away but on being chased they stopped and caused injuries to the police officials with *Dandas*.

There is specific allegation against the petitioner that he gave a *Danda* blow to Constable Amarjit Singh. It is not that all the injuries suffered by the police officials were simple in nature. EASI Dalbir Singh had suffered a grievous injury. The police officials were discharging their official duty when they were attacked at and were caused injuries. Thus, without commenting on the merits of the case, the nature and seriousness of the proposed charges do not call for grant of anticipatory bail to the petitioner and his petition is dismissed.

(SNEH PRASHAR)
JUDGE

20.10.2016
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Whether speaking/ reasoned : Yes

Whether Reportable : No