

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

208

CRM-M-11397 of 2017

Date of Decision: May 19, 2017

Bhupender Singh

....Petitioner

vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. G.S. Dhillon, Advocate
for the petitioner.

Mr. C.S. Bakshi, Addl. A.G. Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in F.I.R. No.120 dated 17.02.2017 under sections 148, 149, 186, 294, 353, 506 and 34 of the Indian Penal Code, registered at Police Station Ratia, District Fatehabad.

On 03.04.2017, while issuing notice of motion, the following order was passed by this Court:-

"Petitioner seeks concession of anticipatory bail in case FIR No.120, dated 17.02.2017, under Sections 148/149/186/294/353/506/34 IPC, registered at Police Station Ratia, District Fatehabad.

FIR came to be registered on the statement of Kamaldeep Singh, ALM on the allegations that on 17.12.2016, there was a line crossing on the 11 KV A.P. feeder and while the complainant along with other officials of Electricity Department reached at the spot to remove the crossing then the present petitioner along with certain other persons came on the spot armed with lathis and gandas and obstructed the complainant and the other officials in

discharging of their official duties, used abusive language and issued death threats.

Counsel would argue that the FIR has been registered in the month of February, 2017 in relation to an alleged occurrence dated 17.12.2016. That apart, it is contended that the FIR has been lodged as a mere counter blast to a complaint lodged by the petitioner before the Human Rights Commission on 04.01.2017 and against the complainant, namely, Kamaldeep Singh, ALM and others and in which notice was issued by the Human Rights Commission for 16.01.2017.

Notice of motion, returnable for 19.05.2017.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Darshan Kumar would apprise the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In the light of such stand taken on behalf of the State, prayer made in the present petition, is accepted.

The order dated 03.04.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.05.2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No