

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30695 of 2017
Date of Decision: 24.08.2017

Mintu Councilor @ Gurpreet Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S. Pheruman, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.101 dated 27.05.2016 registered for offences punishable under Sections 353, 186, 332, 506 read with Section 34 of Indian Penal Code (for short, "IPC"), at Police Station Chheharta, Amritsar.

Heard.

Petitioner is a Municipal Councilor against whom present FIR has been got registered by Rahul Kaushal, Executive Engineer, Punjab Water Supply and Sewerage Division no. 1, Amritsar.

As per complainant, Adarsh Nagar Welfare Society through its representative had given an application on 18.05.2016 regarding sewerage problem faced by residents and he had gone for spot inspection on 23.05.2016 alongwith his team of Sub Divisional Engineer Gurdeep Arora and J.E. Paramjit Singh. There they met Kewal Krishan Sharma. At about 01.30 p.m., he received a phone call of petitioner, who threatened him for entering his area without his permission. He asked him to wait for him.

After about ten minutes, petitioner alongwith 3-4 unidentified persons came to the spot and started abusing complainant and then gave slaps to him. Other persons accompanying him started giving fist blows to complainant. Kewal Krishan Sharma was also given beatings. On seeing the incident, number of people assembled at the spot and petitioner alongwith persons, who had accompanied him, left the spot in their car. Complainant was having severe pain in his ear and went to hospital for his medical check up, where he was advised for ENT opinion.

It is a case where a councilor, who is supposed to be a responsible representative of public has thrashed a senior Government Officer in public view when he was performing his duty. The question in this case, which arises for consideration, is as to whether discretionary power of this Court to extend the benefit of anticipatory bail should be exercised for a person, who has no respect for law?

Taking note of entire facts and circumstances of the case, I find no merit in the present petition and the same is dismissed.

Dismissed.

August 24, 2017

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No