

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

**CRM-M-8543-2017
Date of decision-15.03.2017**

**Narender @ Chhotu
Vs.
State of Haryana**

**...Petitioner

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunny Bhardwaj, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioners in FIR No.367 dated 23.09.2016 registered under Sections 323, 341 and 365 read with Section 34 of the Indian Penal Code (in short 'IPC') and Section 25 of Arms Act at Police Station Tosham, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR. He further contends that the incident took place on 21.09.2016 whereas the FIR was registered on 23.09.2016 and that the complainant has levelled false and baseless allegations against the petitioner.

I have heard learned counsel for the petitioner and have gone through the case file.

The allegations in brief made in the complaint are that the accused persons intercepted the roadways bus in which the complainant was travelling, gave fist blows and kicks to him, bundled him in a Bolero vehicle, gagged him, threatened him at gunpoint and took him to village

Patodi where he was given injuries by all of them. The petitioner named as 'Chotu' in the FIR, had received a phone call and he informed the caller that the complainant had become unconscious and the complainant was given beatings when he was believed to be unconscious. Further, the petitioner also gave beatings to girl who was with the complainant and forced her to lodge a false complaint against the complainant.

There are serious allegations against the petitioner. This Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth.

In the circumstances, no case for grant of concession of anticipatory bail is made out.

Consequently, the application for grant of pre-arrest bail stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

March 15, 2017

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No