

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM No.M-9289 of 2017
Date of decision: 20.3.2017

Pinku @ Vikas and another

... Petitioners

versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.J.S.Cooner, Advocate,
for the petitioner.

...

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioners submits that the petitioners have both been summoned only on an application filed under Section 319 Cr.P.C. and as such, their custodial interrogation is not required at this stage.

Mr.Raj Kumar Rana, Advocate, appears for the complainant and has opposed the petition, on the ground that the petitioners had been attributed specific roles even in the FIR, but the police, allegedly in connivance with them, did not present a 'challan' against them. He has drawn attention to the fact that the petitioners, accompanied by another person by the name of Ram Sain, came and abused the complainant and gave her slap and fist blows and the person accompanying them, i.e. Ram Sain, hit her with a spade on her ankle.

Learned counsel for the complainant further points to the fact that even the 13 year old son of the complainant was given a spade blow on his head by the aforesaid Ram Sain, leading to a fracture (depression) in the skull, and the petitioners are actually the main 'culprits', who had come with

Ram Sain, with an intention to occupy a plot in the vicinity.

Keeping in view the entire circumstances, including the fact that a lady and a 13 year old boy were inflicted grievous injuries, though undoubtedly, the petitioners having been summoned on an application filed under Section 319 Cr.P.C. and their custodial interrogation is not required at this stage, I do not consider it to be an appropriate case to grant the concession of anticipatory bail to them.

Dismissed.

20.3.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No