

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 12978-2018(O&M)

Date of decision: 21.11.2018

Gopal Krishan

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Parminder Singh, Advocate for the petitioner
Mr.Ramesh Kumar Ambavta, AAG Haryana

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

This order will dispose of the petition under Section 438 Cr.P.C. filed by the petitioner Gopal Krishan for grant of anticipatory bail in FIR No.109 dated 22.2.2018 under Sections 148, 149, 323, 379B, 427, 452, 506, 511 IPC & 25 of Arms Act, registered at Police Station Qilla, Panipat.

As per allegations levelled in FIR, on the midnight of 22.2.2018 about 2.15 a.m., six persons entered the house of the complainant Sunil Bajaj after scaling the boundary wall. One was having revolver, three were armed with swords and remaining two persons were armed with knife. They misbehaved with the complainant, his wife, daughter and sons. They put the sword on the neck of Shubham and Ankur sons of the complainant. They asked for the money and jewellery. One of the assailants snatched I-phone 10 from Shubham son of the complainant and threatened him to withdraw the case against Gopal Krishan present petitioner by 10.00 am. tomorrow otherwise, the entire family will be eliminated. Then the said boy dialled No.100 from his phone and he was saying that he is Pritam and the

other associate with him is Dara. He belongs to village Narewa and also mentioned his address. They threatened the complainant to settle account with Ved Pal Kadian, Advocate and stated that Gopal Krishan and Pradeep Soharia are sitting outside in the car and they can do whatever they like.

Petitioner in this case was granted interim protection by a Coordinate Bench of this Court. However, according to the police, he has failed to join the investigation and interim protection was declined on 20.7.2018. Coordinate Bench also referred the case to the Mediation and Conciliation Centre of this Court. However, due to non-appearance, mediation failed.

Learned counsel for the petitioner contends that his co-accused Pardeep has been granted anticipatory bail by a Coordinate Bench of this Court. However, copy of the order passed in that case shows that Pardeep had joined the investigation and the police had made a statement that he is no longer required for investigation. Learned counsel for the petitioner further contends that quashing petition on behalf of the other co-accused, except the present petitioner is pending. However, that itself is no ground to grant anticipatory bail.

Considering the facts and seriousness of the matter, the thorough investigation in this case is required for which the custodial interrogation of the petitioner is necessary. No ground to grant of anticipatory bail is made out.

Resultant, the present petition stands dismissed.

21.11.2018

gk

(Kuldip Singh)

Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No