

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

**CRM-M-17510-2018 (O&M)
Date of Decision: 14.12.2018**

Bagga Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner(s).

Ms. Mahima Yaspal, A.A.G., Haryana.

Mr. Dheeraj Narula, Advocate
for the complainant.

ANITA CHAUDHRY, J

Petitioner is seeking anticipatory bail in FIR No.88 dated 27.03.2018 registered under Sections 354-B, 451, 506 IPC (subsequently added Sections 376/511 IPC) at Police Station Rania, District Sirsa.

Interim order was passed in favour of the petitioner on 02.05.2018. On that date, the counsel for the complainant had pointed out that they had a CD recording. The complainant was directed to hand over the CD to the police for verification.

The CD was produced even today and has been seen.

Learned counsel for the petitioner contends that an incident occurred on 24.03.2018 and injuries were received by the petitioner and a complaint was given but no action was taken. Counsel further submits that CCTV camera footage records the time around 2.30 a.m. whereas he was in

the hospital at 01.10 a.m. with a suspected case of poisoning and the case is false.

Counsel for the complainant has today placed on record the call made to the police on phone No.100 where the petitioner was named and it was he who had been entered their house. Counsel states that the petitioner was caught and he was taken to the hospital for treatment and thereafter as there was no complaint, it records that action would be taken after the complaint is received. The counsel further submits that the petitioner can be seen in the CCTV video and he had injured his foot when he jumped down and injuries on the foot can be seen in the MLR and he can be seen limping and the medical officer had noted the swelling on both the feet.

Counsel for the petitioner contends that the time given is much later and the correctness of the video footage is yet to be tested.

The police records the name of the petitioner as the call was made by the complainant's side naming the petitioner of entering their house at night. Though in the reply filed by the State, they have stated that a person was seen jumping and limping thereafter but the CD was not clear but there is another document coming from police records which notes the complaint given to the police at 12.30 a.m.

In the light of this, the petitioner is not entitled to anticipatory bail. The interim order dated 02.05.2018 is vacated and the petition is dismissed.

December 14, 2018*ps-I***(ANITA CHAUDHRY)
JUDGE**

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