

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2187-2018
Date of decision: 24.01.2018

Chanderpal and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tushar Gautam, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.221 dated 07.10.2017 under Sections 148, 149, 186, 188, 323, 332, 353, 379 IPC, registered at Police Station Hassanpur, District Palwal, Haryana.

Learned counsel for the petitioners submits that there are no direct allegations against the petitioners and co-accused Jagat Singh has been arrested and released on regular bail vide order dated 20.11.2017 passed in CRM-M-43016-2017. Counsel for the petitioners further submits that during investigation, Section 307 IPC has been deleted and nothing is recovered from the petitioners. It is further submitted that as per the MLR, simple injuries were caused to the complainant.

In reply, learned State counsel, on instructions from ASI Majlish,

has however opposed the bail on the ground that all the three petitioners namely Chanderpal, Bhanwar Singh and Dharamveer have been named in the FIR and as per the allegations in the FIR, the complainant, who is Head Constable, along with his co-officials was on patrol duty to control the crime regarding the illegal mining in the village. It is further stated in the FIR that when the complainant stopped the tractor filled with jamuna sand and asked the name of the driver, he informed his name as Sanjay and when he directed him to come to police station, he tried to run over him and other co-officials by hitting the tractor and they saved their life by running away. When the complainant and his co-officials tried to chase the tractor, then the petitioners along with some other persons obstructed them and started giving beatings to them and created hindrance in performance of Govt./official duty. It is also stated in the FIR that all these persons were calling each other by their name.

After hearing learned counsel for the parties, I find that the allegations levelled against the petitioners are serious, as complainant and other police officials were on their official duty to check the illegal mining of sand of river Yamuna and the petitioners gave them beatings and also stopped them in performance of Govt./official duty.

Since the allegations against the petitioners are serious in nature, they are not entitled to concession of anticipatory bail.

In view of the above, present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

24.01.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No