

In the High Court of Punjab and Haryana at Chandigarh

CRM M-46022 of 2018
Date of Decision: October 16, 2018

Ankit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Arun Sharma, Advocate,
for the petitioner.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioner has sought for anticipatory bail in case FIR No. 160, dated 09.05.2018, under Sections 120-B, 193, 195, 311, 323, 380, 447, 452, 457, 494, 506 of I.P.C. (out of which Sections 193, 195, 311, 447, 494 IPC have already been deleted by the Police), registered at Police Station Madhuban, District Karnal.

2. Perusal of the FIR and pleadings in the present petition, it is evident that it is a family dispute (matrimonial). At the same time, it is evident that petitioner is alleged to have involved in assault and stealing of motor-cycle. Having regard to the offences relating to assault and theft of motor-cycle so also recovery of motor-cycle has to be effected along with the documents of motor-cycle, custodial interrogation is required. Hence, petitioner is not entitled to anticipatory bail.

3. Present petition stands dismissed.

4. At this stage, learned counsel for the petitioner submitted that accused no.1 and 5 have been extended anticipatory bail. It is to be noted

that it all depends on each of individual's role in the alleged offence. In the present petition, it is a clear case of assault by the petitioner so also theft of motor cycle, therefore, above contention of the petitioner is hereby rejected.

5. At this stage, further learned counsel for the petitioner seeks time and he tried to argue the matter, this attitude of the counsel is nothing but abusing the court process.

October 16, 2018

vkd

[P.B. Bajanthri]

Judge

Whether reasoned / speaking : Yes

Whether reportable : No