

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-50701 of 2018

Date of decision:14.12.2018

Prithvi Singh

...Petitioner

v.

State of Haryana

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. R.S. Mamli, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Assistant Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.224 dated 26.09.2018
registered for the offences under Sections 323, 341, 307 and 34 IPC and
Section 25 of the Arms Act, 1959 at Police Station Bhattu Kalan, District
Fatehabad (Haryana).

Notice of motion has been issued in this case.

Mr. Kuldeep Tiwari, learned Assistant Advocate General,
Haryana has appeared on behalf of the respondent-State and contested this
petition.

I have heard learned counsel for the petitioner as well as
learned State counsel and have gone through the record.

The FIR in the present case has been registered on the

statement of Prem Kumar. As per the allegations, Prithvi Singh was driving one i20 car. A perusal of the record shows that it is a road rage case. There was no previous enmity between them. Co-accused Lokender alias Loky fired shots from the pistol on the complainant. Even the injuries were inflicted with the butt of the pistol etc. Though, the fire shot has not hit anybody and only hit the driver side mirror, but keeping in view the facts and circumstances of the present case and the fact that it is a road rage case and the accused side fired two three times, but the complainant side luckily escaped, therefore, the petitioner is required for custodial interrogation.

Keeping in view the serious allegations and the fact that the petitioner is named in the FIR; was driving the vehicle and has played active role in the occurrence, therefore, I do not find it a fit case where the petitioner is entitled for the grant of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

December 14, 2018.

(Inderjit Singh)
Judge

hsp

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