

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.210

CRM-M-53065-2018

Date of decision : 13.12.2018

Dilbagh Singh @ Bagha

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. A.D.S. Sukhija, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

Status report dated 10.12.2018, has been filed in Court today and the same is taken on record. A copy thereof has been supplied to counsel for the petitioner.

According to this report, when a police party went to arrest the petitioner on receipt of an email from Police Station STF, Phase-IV, Mohali, the relatives of the petitioner surrounded the police party and assaulted it. The petitioner was removed from lawful custody of the police and he managed to escape. It is stated that there are 21 other cases registered against the petitioner, out of which in 13 cases, he has either been acquitted or cancellation/untraced report has been filed. Thus, the petitioner is a hardened criminal and he does not deserve the concession of anticipatory bail. It is also submitted that in FIR No.7 dated 21.3.2018, the petitioner has been declared as proclaimed offender.

Learned counsel for the petitioner submits that the incident was video-graphed by a co-villager and a complaint was submitted before the higher police officials that in fact, only an argument took place at the particular time and no assault was involved. Regarding FIR No.7 dated

21.3.2018, it is submitted that the interim bail was granted to the petitioner

by this Court and he could not join investigation on account of pendency of the present case.

Learned State counsel, on instructions from SI-Pardeep Singh, submits that investigation being conducted by the higher police officials has also been concluded and the stand of the petitioner has been rejected. The MLRs of police officials injured in the incident have also been examined while reaching the aforementioned conclusion.

Notice of motion was issued in this case only because it had been submitted by counsel for the petitioner that no force was used and the incident is under enquiry by senior police officials. Now, the enquiry by the senior police officials is against the petitioner and therefore, the petitioner does not deserve the concession of anticipatory bail.

The petition is accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

13.12.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No