

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-45215-2018 (O&M)
Date of Decision:-15.7.2019

Raj Bhawan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sajjan Singh, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0507 dated 19.9.2018 at Police Station Rohtak Sadar under Sections 307, 323, 34, 341, 452 and 506 of Indian Penal Code, 1860 and Section 25 of Arms Act.

The FIR was lodged at the instance of Parveen, wherein it has been alleged that on 19.9.2018, he had gone to the bus stand at about 6:30 P.M., where he saw that a crowd had gathered in front of house of Randhir and he could hear noises of '*bachao-bachao*' (save-save) coming from the house of Randhir. It is alleged that the complainant saw that Raj Bhawan and his sons Dinesh and Rohit as well as his wife were beating the complainant's uncle Ranbir @ Rania with bricks. Rohit was carrying a pistol in his hand and when the complainant tried to save his uncle Ranbir @ Rania, Rohit

pointed the pistol at him. Even the brother and parents of Rohit threw bricks towards him and threatened him that in case he loves his life, then he should disappear from that place. The complainant, however, with the help of villagers removed his uncle, who was smeared with blood to hospital for his treatment. The complainant has further stated therein that while on the way his uncle Randhir @ Rania told him that when he was alone at home in the evening then his brother Raj Bhawan accompanied by his sons Dinesh and Rohit as well as his wife entered his house and stated that they would teach him a lesson for having accepted money by letting out the shop. Randhir @ Rania further disclosed to the complainant that Rohit had fired with a pistol at him, which hit him on the palm of his left hand and that the others had caused injuries to him with bricks.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, even as per FIR, he was not armed with pistol and, as such, the petitioner deserves the concession of bail.

Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out.

I have considered rival submissions addressed before this Court.

A perusal of the MLR in respect of the injured Randhir @ Rania shows that he has sustained as may as five injuries out of which two are fire arm injuries and the others are in the nature of lacerations and bruises. Even if, it is accepted that the petitioner was not armed with pistol, but the allegations are very specific to the effect that he alongwith other co-

accused and had given beatings to Randhir @ Rania with bricks as is also borne out from the MLR.

Bearing the aforestated position in mind and while noticing that the injured has received as many as five injuries, out of which two are fire arm injuries, this Court does not find any special case for grant of anticipatory bail. The petition, as such, is dismissed.

15.7.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No