

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.13060 of 2020(O&M)

Date of decision: 28.5.2020

Relu Ram @ Rahul

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

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

Mr. Apoorv Garg, DAG Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of bail in anticipation of arrest in FIR No.0198 dated 27.04.2020 registered with Police Station Rania, District Sirsa for offence punishable under Sections 186, 188, 332, 353, 430, 506 of the Indian Penal Code, 1860 (in short 'IPC') and Section 3 of Prevention of Damage to Public Property Act, 1984.

Counsel for the petitioner would contend that injuries allegedly sustained by Banwari Lal are simple in nature constituting offence under Section 323 IPC and the same is bailable. It is further argued that pipe allegedly used for stealing water from Burji No.44000L has already been recovered. The petitioner is ready to join investigation and co-operate throughout.

Counsel representing State of Haryana, on the other hand, has opposed the prayer for grant of bail with the submission that petitioner

along with his co-accused manhandled Sh. Banwari Lal, Beldar, who had gone to the spot and found that water was being stolen from the aforesaid Burji. It is argued that in view of the allegations against the petitioner and his co-accused, he does not deserve to be allowed concession of bail in anticipation of arrest.

The allegations against the petitioner are that on the intervening night of 26/27.04.2020, Beldar Banwari Lal, Dinesh Kumar and Sahib Ram, on patrol duty, found that Sansar son of Jolly and Rahul @ Relu (petitioner herein) and three other of village Jodhpuria had put pipe on Burji No.44000L thereby stealing water. When they were asked to remove the pipe, they manhandled Beldar Banwari Lal and caused injuries to him.

Taking into consideration the seriousness of allegations against the petitioner, he does not deserve to be extended benefit of bail in anticipation of arrest, a concession to be allowed in special circumstances where the Court is convinced that a false case has been registered on account of political vendetta or extraneous considerations.

Dismissed.

MAY 28, 2020

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no