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

CRM-M-15990-2020
Decided on : 22.06.2020

Bala Devi

..... Petitioner

Versus

State (UT Chandigarh)

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Piyush Aggarwal, Advocate
for the petitioner.

Manjari Nehru Kaul, J.

Due to the outbreak of Covid-19 pandemic, the case is taken up for hearing through video conferencing.

Instant petition has been filed under Section 438 Cr.PC for the grant of anticipatory bail in case FIR No.78 dated 18.05.2020 registered under Sections 332, 353 and 34 IPC at Police Station Sarangpur, Chandigarh.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question on the allegations of instigating and provoking the people of her locality to pelt stones on the police. It has further been contended that the delay of six hours in lodging the FIR clearly hints at a false and fabricated version having been brought forth against the petitioner.

Mr. Manish Jain, Advocate has put in appearance on behalf of the respondent-State. Learned State counsel has submitted that the

petitioner has been specifically named in the FIR in question and had in fact played an active role in instigating the people to pelt stones upon the police party when they went to Kachhi Colony, Dhanas on the day of alleged occurrence. Learned counsel for the respondent has further submitted that the police party had gone to the aforementioned locality, which had been declared a containment zone on account of outbreak of Covid-19, to collect a dead body. On account of pelting of stones not only did the petitioner and other accused cause hindrance to the police party in the discharge of their official functions but injuries were also caused to some of the police officials for which they had to be hospitalised.

Heard.

From the aforementioned facts and circumstances, it is prima facie evident that the police party had gone to the locality in question, which had been declared as a containment zone, to collect a dead body of a man. This hazardous task was undertaken by the police keeping in mind the protection of public health of the said locality, in particular, in view of the current pandemic. The petitioner prima facie acted in an irresponsible manner by not only obstructing the public servants in the discharge of their official duties but due to the provocation and instigation by the petitioner, the residents of the locality indulged in unruly behaviour and pelted stones on the police.

In the facts and circumstances of the case, no ground is made out to extend the extra ordinary concession of anticipatory bail to the petitioner.

Accordingly, the present petition stands dismissed. However, it

is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

22.06.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No