

CRM-M No.25856 of 2020 (O&M)
Date of Decision : 03.09.2020

Bhim Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGHPresent : Mr. Madan Pal, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J (ORAL)

The petitioner-Bhim Singh has sought first anticipatory bail under Section 438 Cr.P.C in case FIR No.777, dated 01.09.2019, under Sections 354-D, 379, 452, 34 and 506 IPC, 1860, registered at Police Station City Karnal, Haryana, which was got registered by complainant-Anju. In her complaint, the complainant alleges that she was a student and accused Bhim Singh and his co-accused Vinod non-applicant often used to chase her, pulled her Dupatta but she kept mum. On 31.08.2019, during odd hours the accused are alleged to have trespassed into her house and started knocking at the doors but out of fear she did not respond. The accused are alleged to have abused her and removed the electricity meter installed at the premises and, thereafter, managed to escape.

Learned counsel for the petitioner inter alia contends that the parties have a history of previous dispute and that earlier an FIR was got registered by the petitioner-Bhim Singh against the father and mother of the present complainant and has sought to place reliance on Annexure P-7.

Learned State counsel has strongly opposed the bail on the grounds that the accused have acted in a most disparaging manner and as such are not entitled to any concession of bail, much less anticipatory bail.

Appreciating the submissions, the previous FIR Annexure P-7 was got registered by the petitioner-Bhim Singh pertaining to an incident which occurred on 03rd April, 2015, regarding which FIR was got registered on 20th August, 2019. From the perusal of the allegations contained therein, it transpires that the parties have a history of previous litigation regarding some civil dispute. In view of the allegations, the custodial interrogation of the petitioner is not required and his joining investigation would suffice the parties.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called

for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

03.09.2020
Manpreet

Whether speaking/reasoned	Yes
Whether reportable	No