

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-26965 of 2020

Date of Decision: 09.09.2020

Hansraj Kumar

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Sumit Gupta, Addl. AG, Haryana.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for anticipatory bail in FIR No. 63 dated 8.3.2020, under Sections 148, 149, 379-B and 506 IPC, registered at Police Station, BPTP, Faridabad.

The FIR is at the instance of Sunder Rawat, brother of Vishal (injured). In the FIR, it is alleged that Balesh and Hansraj called Vishal at their house on the pretext of booking a bus. There Vishal was attacked by Hansraj, three brothers of Balesh and 2-3 other unknown persons with knife, baseball and sticks. Vishal was badly injured, got admitted to B. K. Hospital in an unconscious condition, he was referred to Safdarjung Hospital, Delhi, however he was taken to Sarvodya Hospital, Faridabad. It is alleged that gold chain of 1.5 tolas, Rs.14,700/- cash and mobile of Vishal were snatched.

Learned counsel for the petitioner submits that the FIR is a counter blast to FIR No. 46 dated 9.3.2020 registered by the wife of the petitioner in Women Police Station, Faridabad. It is submitted that the wife

of the petitioner was having relations with Vishal, however, he made video when they were in compromising position and thereafter he started exploiting the said video. He places reliance on the interim bail granted to Balesh in CRM-M-23148-2020 by this Court on 18.8.2020.

Learned counsel for the State opposes the anticipatory bail and submits that Vishal was found in an injured condition and that custodial interrogation is required as recovery of alleged snatched property is to be made.

Considering the facts and circumstances of the case, though there appears to be a dispute existing between the parties, however the allegations levelled in the FIR are serious in nature and it is stated that a gold chain, cash and mobile have been snatched.

No parity can be drawn of the petitioner with Balesh as there is specific allegation against the petitioner to have inflicted injuries along with others to Vishal.

No case is made out for granting the benefit of anticipatory bail.

The petition is dismissed.

However, nothing observed hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

9th September, 2020

<i>mk</i>	1. Whether speaking/ reasoned	:	Yes
	2. Whether reportable	:	No