

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(109)

CRM-M-33508-2020

Date of Decision: October 19, 2020

Bahadur Singh and another

.. Petitioners

Versus

State of Haryana

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Himanshu Arora, Advocate, for the petitioners.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Mr. Baljeet Beniwal, Advocate, for the complainant.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioners in respect of FIR No.96 dated 15.02.2020, under Sections 323, 325 and 506 IPC registered at Police Station Sector-7, Faridabad.

Learned counsel for the petitioners submits that there is a cross FIR also registered against the complainant and her family. Learned counsel for the petitioners submits that though, it is not denied that some incident took place, but the petitioners have no role to play with regard to the injuries, which have been suffered by the complainant and her family members. Learned counsel for the petitioners further submits that the injuries have also been received by the petitioners and their family and therefore, keeping in view the fact that there was a fight between the two parties, and the petitioners are ready to join the investigation and co-operate with the same, they may be granted the benefit of anticipatory bail.

Notice of motion.

Ms. Safia Gupta, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the grievous injuries have been sustained by the father of the complainant Sachhe Singh, Smt. Babli, Smt. Mahesh Kumari and Bhupender. The injuries which have been received by the victim especially Sachi Singh, are on the head just above the neck. The prayer of the learned State counsel is that for investigation, the custodial interrogation of the petitioners is very necessary.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, it is not denied by the learned counsel for the petitioners that some incident happened and as per the allegation alleged against the petitioners in the said incident, the victim received injuries and the injuries inflicted upon the victim are grievous in nature as the father of the complainant Sachi Singh has received injuries on the head and others victims have received fractures in the arms, no ground is made out to grant the petitioners the benefit of anticipatory bail as, the weapons used by the petitioners to inflict the injuries are yet to be recovered. This is not a case where this Court is inclined to exercise the discretion for the grant of anticipatory bail as custodial interrogation of the accused is essential to unearth the truth so as to complete the investigation.

Accordingly, the petition is dismissed.

October 19, 2020
harsha/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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