

CRM-M-47193-2019

Date of decision: 16.01.2020

JAVED

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

VIVEK PURI,J. (ORAL)

Present petition under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner, namely Javed in case FIR No. 0517 dated 11.08.2019, registered under Sections 147, 149, 323, 341, 379B, 427, IPC-1860 at Police Station Sector-7, Faridabad, District Faridabad.

As per the allegation of the prosecution, on 10.08.2019 at about 2:30 pm, Om Parkash-complainant was proceeding in a truck. 8-9 assailants arrived at the spot in two vehicles i.e. Scorpio and Fortuner. They were armed with Lathi, dandas and beer bottles. They threw beer bottle on the glass of the truck, brought down the complainant, gave beatings to him, snatched mobile phone and Rs.20,000/-. The assailants were addressing their names as Javed i.e. the petitioner, Sehzaad and Sazid while giving beatings to the petitioner. Ashwani Khatana, the owner of the truck also arrived at the spot and he took injured to the hospital.

It has been contended by the learned counsel for the petitioner that he is falsely implicated on account of some dispute between Ashwani Khatana, the

owner of the truck and Shezad-co-accused. It may be mentioned here that the occurrence took place during the mid-night hours on a highway.

The petitioner alongwith other assailants had damaged the truck, inflicted the injuries, snatched the mobile phone and cash from the complainant on a highway during the mid-night hours. Such like offences cannot be viewed lightly and no exceptional circumstances are made out to extend the concession.

In view of the above, the present petition is dismissed.

16.01.2020
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(VIVEK PURI)
JUDGE

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