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

CRM-M No.12527 of 2021 (O&M)

Date of decision: 18.03.2021

Rohtash

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Godara, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.235 dated 09.11.2020 registered under Sections 186, 323, 332, 353, 427, 34 IPC at Police Station N.S. Chopta, District Sirsa.

Counsel for the petitioner has argued that as per the allegations in the FIR, on 09.11.2020, the complainant Constable Hanuman Singh, recorded his statement that in the night of 08.11.2020, he was posted as a Driver on a government vehicle along with other police officials and was going to village Nehrana from Makhosarani on a patrol duty and at about 1/1:30 AM in the night, 02 young men were found standing in the middle of the road. When the complainant alighted from the government vehicle and asked them as to why they were standing there in the night, both the assailants started abusing him and one of them asked another by name as Bhagat Singh and asked him that he should call other boys and thereafter, he called them and 03 other persons reached at the spot and started abusing the police party. The complainant also made a movie of the occurrence from his mobile phone and in that process, 03 boys snatched the mobile phone and has broken the same while throwing on the earth. They also grappled the complainant and when the police officials tried to rescue him, one of the boy who was standing on the road, gave a danda blow on

Homeguard official Sher Singh and when Sher Singh raised a voice, the said 05 assailants fled away from the spot.

Counsel for the petitioner has further submitted that 03 of the accused Sahab Ram, Rajesh and Puran, were arrested and were released on regular bail whereas one of the co-accused Bhagat Singh has been granted the concession of anticipatory bail as he has volunteered to pay a sum of Rs.25,000/- to the victim, whose mobile phone was broken by the accused. It is also argued that the name of the petitioner surfaced in the case on the basis of the disclosure statement made by the co-accused.

Counsel for the State has opposed the prayer for bail on the ground that since the name of the petitioner surfaced in the case, during the investigation and it is a case where the accused persons, obstructed the police officials while performing the official duties and have also caused injuries to one of the homeguard i.e. Constable Sher Singh, the petitioner, is not entitled for bail.

After hearing the counsel for the parties, considering the serious allegations levelled against the petitioner, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

18.03.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No