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

**CRM-M-15685-2020
Date of Decision: 23.11.2021**

Dharampal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Karan Pathak, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. Prashant S. Chauhan, Advocate,
for the complainant.

SUDIP AHLUWALIA, J. (ORAL)

CRM-30036-2021

Applicant-petitioner is permitted to place on record the rejoinder to the Status Report dated 26.06.2020, supplementary Status Report dated 11.01.2021 and another supplementary Status Report dated 18.04.2021.

Application stands disposed off.

CRM-M-15685-2020

This is a petition for anticipatory bail filed on behalf of the petitioner under Section 438 Cr.P.C. in case FIR No.0163 dated 25.05.2019, under Sections 148, 149, 307 & 302 of the IPC and Sections 25/54/59 of the Arms Act, registered at Police Station City Rewari, District Rewari.

[2]. When the matter had earlier come up for consideration first of all before a Co-ordinate Bench of this Court, the petitioner was admitted to

an interim bail basically on the ground that even though there was an allegation of gun fire imputed to him in the original FIR, but no actual injury to any person had been caused. In addition, the Co-ordinate Bench in its detailed order passed on 18.06.2020 had also wanted to know the role of the petitioner in the alleged occurrence by way of an affidavit of a Gazetted Officer. Compliance thereafter, was effected by filing the Status Report supported by an affidavit sworn by the Deputy Superintendent of Police, Rewari on 26.06.2020, in which the involvement of the petitioner has been described in detail in Para No.2, and even the motive for his having led the assault on the victim had been mentioned in Para No.4. It transpires that the petitioner is an Ex-Sarpanch and according to the Ld. Counsel for the complainant the petitioner had succeeded in evading his arrest for a long time by using his clout.

[3]. At any rate, his involvement in the offence has been specifically mentioned in the original FIR. He is alleged to have been sitting on the Conductor's side seat in the vehicle from which shots were fired at the complainant side.

[4]. Although the shot imputed to the petitioner did not injure any one, but the pistol fire imputed to co-accused Dhammal, who had allegedly fired upon the victim Aditya while sitting next to the petitioner in the vehicle had resulted in the death of the said Aditya.

[5]. In such circumstances, the element of having a common intention among the persons, who had come to attack the complainant's side would appear to be very clear, especially in case of the present petitioner, who was allegedly sitting very next to the assailant whose gun shot would have caused the death of the victim Aditya.

[6]. Therefore, this Court finds no ground to grant the extraordinary relief of anticipatory bail to the petitioner.

[7]. Dismissed.

23.11.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No