

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

CRM-M-22921 of 2021  
Date of Decision: 11.06.2021

Yogesh .....Petitioner  
Versus

State of Haryana .....Respondent

**CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Keshav Pratap Singh, Advocate  
for the petitioner.

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**HARINDER SINGH SIDHU, J.**

Present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 341 dated 23.10.2020, under Sections 186, 332, 353 and 307 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Gadpuri, District Palwal.

Brief facts of the case are that the complainant alongwith Constable Kuldeep and HGH Dinesh Kumar were on duty at Barrack in front of P.P. Baghola. At about 10:30/11:00 p.m. a car came at a high speed from Village Baghola side. The complainant gave signal by a torch to stop the Car. The driver of the car slowed down the speed of the car. The persons sitting in the car directly fired upon the police with intention to kill them, but they managed to save themselves. One fire shot passed nearby the right ear of the complainant. The driver of the car fled away with car towards village Janauli side. The complainant and other police official chased them. The Car had to stop at a railway crossing which was closed. The occupants managed to run away after leaving their car. Three persons

were identified by the complainant as Yogesh (petitioner) s/o Bijender, Amit s/o Sukhbir and Ravi residents of village Janauli. There were two unknown persons with them. The number of the car was HR-30U-8175 Swift Maruti.

Learned counsel for the petitioner argued that the allegations in the FIR are totally baseless. He argued that there was no occasion for the complainant to have identified the petitioner. The petitioner is not known to the complainant and they do not belong to the same village. He further argued that the allegation of firing the shots at police party is baseless as no empty shell has been shown to be recovered.

It is not possible to accept the contentions of learned counsel for the petitioner. The complaint had been lodged immediately after the alleged incident. The allegations are that when the car was signaled to stop the occupants of the car fired a shot at the police party which was acting in discharge of its duty and then fled away. The car has been recovered as the occupants fled away when they had to stop at a railway crossing. In view of the nature of the allegations no ground is made out for the grant of anticipatory bail to the petitioner.

**[HARINDER SINGH SIDHU]**  
**JUDGE**

June 11, 2021  
*rashmi*

Whether speaking/reasoned  
Whether reportable?

yes/no  
yes/no