

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

CRM-M-33245-2021
Date of decision: 17.08.2021

Prem Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Susheel Gautam, Advocate
for the petitioners.

Mr. Deepak Kumar Grewal, DAG, Haryana.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 22 dated 09.01.2018, registered under Sections 148, 149, 302, 323, 341, 452, 506 and 120-B of the IPC at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Mahavir, it is stated that in the year 2011, a quarrel took place between his family and the family of one Lal Chand Jhinwar, due to which, they were having a grudge against the complainant's family. On 08.01.2018, when the complainant was present in his house and his son Dharmender was returning to his house in a car, complainant heard noise in the street and he along with

his wife and daughter saw that accused persons, named in the FIR including the petitioners, were giving beatings to his son Dharmender. Accused were also accompanied by some ladies and boys having swords, gandassi and lathis in their hands. When the complainant and others tried to rescue Dharmender, the accused gave lalkara that all should be eliminated and no one should be spared. In that process, the accused persons entered into the house of the complainant and attacked them and caused injuries to complainant's daughter Kusum and wife Sona Devi as well. Thereafter, complainant's son Rajender came in the house and from his licenced gun, he fired a shot and then all the accused fled away from the spot. Later on, Dharmender died due to injuries sustained by him.

Learned counsel for the petitioners further submits that petitioners were never arrested and in the intervening period, victims PW-1 to PW-6, including complainant, his wife and daughter, have appeared before the Court and have not supported the prosecution version. It is also submitted that it is a case of version and cross version.

In reply, learned State counsel submits that even if PW-1 to PW-6 have not supported the prosecution version qua the accused, who are facing trial, it will be open for them to make statement as and when the trial qua the petitioners will start.

It is also submitted that FIR pertains to the year 2018 and the petitioners are evading their arrest.

After hearing learned counsel for the parties, without making any expression on the merits of the case, considering the serious allegations against the petitioners as well as the fact that they are evading their arrest

since the registration of the FIR, I do not find any ground to grant them concession of anticipatory bail.

Accordingly, the present petition is dismissed.

17.08.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No