

Krishan Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vijay Sangwan, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.591, dated 20.08.2021, having been registered at Police Station City Narnaul, District Mahendergarh, alleging therein the commission of offences punishable under the provisions of Sections 323 and 506 of the IPC.

The petitioner having been directed to join investigation, with him to be admitted to bail if he was sought to be arrested, as per the order passed by this court on 06.09.2021, a status report dated 11.11.2021 has been filed by the DSP, Narnaul, which is ordered to be taken on record.

As per the said affidavit the petitioner, who is a Head Constable, intimidated his colleague, also using filthy language against him, with him also having inflicted bodily injuries upon his chest and shoulders and consequently, as per the DSP, he having behaved in a very arrogant manner being a police official, other than Section 323 of the IPC, Section 506 thereof is also an offence committed by him, which, in Haryana, is non-bailable if bodily harm is also caused to the victim.

The DSP has also stated that if the petitioner is allowed to remain on bail without even being arrested he is unlikely to improve his ways.

Though otherwise simply an offence being bailable would be no ground to grant a person 'anticipatory bail' under the provisions of Section 438 of the Cr.P.C., though that would obviously to be duly considered, yet, keeping in view the allegations made against the petitioner, being a uniformed personnel, using filthy language and behaving arrogantly and attacking his own colleague and intimidating him, I see no ground to further continue with this petition, which is consequently dismissed, with the interim order passed on 06.09.2021, hereby vacated.

November 17, 2021

dharamvir//

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes
Whether reportable: : No