

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 105

CRM-M-42669-2021

Date of decision : 11.10.2021

Ashok

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.D.Yadav, Advocate, for the petitioner.

Mr.Z.S.Chauhan, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.257 dated 21.09.2021, registered under Sections 332, 353, 294, 186, 506, 34 IPC at Police Station Kasola, District Rewari.

Briefly stated, the case of the prosecution is that on 21.09.2021 the complainant, who is a serving Junior Engineer with Haryana State Industrial & Infrastructure Development Corporation (for short, the Corporation), while on duty, was initially abused by the petitioner and his co-accused and later beatings which included a *danda* blow by the petitioner on the complainant's forehead. Such abuses and beatings were given to the complainant after he was pressed to leave the work that he was doing to attend to some other work which the petitioner and his co-accused wanted him to do so.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; a cabinet minister in the Haryana Government was scheduled to visit the area and because the complainant came to know that the petitioner was going to complain to the minister against the complainant, the complainant got lodged the false FIR in question; the petitioner has no criminal

antecedents and that even if the case of the prosecution is taken as the gospel truth, though vehemently denied, only a simple injury is attributed to the petitioner.

The medico legal report of the complainant reveals as many as five injuries on his person which include abrasions and a cut on his upper lip. With regard to complaint of pain in his left ear, the complainant has been advised x-ray which report is pending. Such injuries are alleged to have been given to him by the petitioner and his co-accused while the complainant was on duty only because he refused to attend to the work suggested by the petitioner and his co-accused.

In the light of the above allegations of the petitioner having beaten up the complainant-a public servant while discharging his duties which resulted in infliction of as many as five injuries on his person, this Court is of the opinion that the petitioner does not deserve the concession of anticipatory bail.

Dismissed.

11.10.2021
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No