

110 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44924-2021

Date of decision 28.10.2021

JAGMINDER SINGH

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

This petition under Section 438 Cr.P.C. is filed seeking for grant of anticipatory bail in case FIR No. 444 dated 03-07-2020, under Sections 186, 332, 353, 506, 379 of IPC 1860, registered at Police Station, Sardar, Karnal.

The FIR was registered on the complaint received from SDO'OP' S/DIVN. UHBVNL, Newal. As per contents of the complaint on 03.07.2020 a team of Vigilance Staff of Electricity Corporation, had gone for checking the theft of electricity in the village. During the course of checking, Sadhu Ram, Jasbir, and Sandeep were found indulging in theft of electricity. When the checking team was returning, from the village Sandeep, Jagminder Singh (petitioner), Joginder, Sandeep alongwith his mother and sister attacked the team with lathis and dandas. They broke the glasses of the vehicle and inflicted injuries to the driver Sumit. The journey register and the mobile of the driver were snatched from Sumit. During the investigation, medical summary of injured-Pawan Kumar J.E. and Smay Singh J.E., was taken by the police. Sandeep Singh @ Jony and Joginder

were in custody in other FIR's, their production warrants were taken. The matter is still under investigation.

The counsel for the petitioner submits that the FIR is of 03.07.2020, the anticipatory bail petition was dismissed by the Additional Sessions Judge Karnal on 10.11.2020. Till date police neither is able to apprehend the petitioner nor he has not been declared proclaimed offender. Now in October 2021, the police has started raiding the house of the petitioner.

Learned State counsel opposes the grants of pre-arrest bail. She submits that the checking party was attacked in a pre-planned manner. The vehicle was damaged and the petitioner and co-accused armed with lathis and dandas inflicted injuries to the checking team.

The petitioner has been specifically named in the FIR. There are allegations that the Vigilance Team of Electricity Department which went for checking in the village was attacked and injured. They were obstructed in discharging their official duty. The contention that the petitioner could not be apprehended for more than a year itself cannot be a ground for grant of anticipatory bail. The failure of the police department to initiate timely action will not dilute the allegations against the petitioner that he along with co-accused assembled and attacked the checking party. The custodial interrogation of the petitioner would be necessary for determining the specific roles of the accused.

The petition is dismissed.

28th October, 2021

monika

(AVNEESH JHINGAN)
JUDGE

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|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |