

In virtual Court

CRM-M-32-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32-2021 (O&M)
Date of decision: 06.01.2021

Harun

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Farukh Abdullah, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.180 dated 16.08.2019 under Sections 148, 149, 323, 341, 302, 506 IPC, registered at Police Station Nagina, District Nuh.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on the statement of Julfan, his family was having rivalry with the family of petitioner Harun regarding dispute of land and on 16.08.2019, in the morning, petitioner Harun along with his family members namely Iklas, Israk, Sakib, Sirajudin, Najor, Tohid and Sabir encircled the complainant near a pond and all these persons were carrying lathies and dandas

and they started giving beatings to him. When he cried for help, his family members i.e. Ikbal, Gafudi and Rasid came to his rescue. In the meantime, Najir grabbed Inkalab and Sabir gave blow on the head of Inkalab, which proved to be fatal. The other accused also gave blows on the victims.

Learned counsel for the petitioner has argued that except naming the petitioner, no specific injury is attributed to him. It is further submitted that cause of death of Inkalab is on account of head injury, which is attributed to co-accused Sabir.

Learned State counsel has, however, opposed the prayer for bail on the ground that there is a motive attributed to the petitioner and apart from Inkalab, who died, even the complainant and other victims suffered injuries and they are eye-witnesses to the incident. It is submitted that FIR pertains to 16.08.2019 and the petitioner is evading his arrest and is not allowing the police to complete the investigation.

After hearing learned counsel for the parties, considering the serious allegations against the petitioner in the FIR, wherein a motive is attributed to him, I find no ground to grant anticipatory bail to the petitioner.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

06.01.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No