

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-20725-2022 (O&M)  
Date of Decision:-5.7.2022

Shivam ... Petitioner

Versus

State of Haryana ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Aakash Bhardwaj, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,  
assisted by ASI Ajmer Singh.

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.186 dated 2.4.2022, Police Station Quilla, Panipat, under Sections 147, 149, 186, 332, 353, 379-B, 506 of Indian Penal Code, wherein offence under Section 3 of Public Property (Prevention of Damage) Act, 1985 was added later on.
2. The FIR in question was lodged at the instance of Balister, SPO, wherein it is alleged that on 2.4.2022, when he alongwith other police officials was patrolling in the area of Panipat, then they saw a young boy talking on his

mobile phone while lying in front of his shop. Since it was late in the night i.e. around 12:00 o'clock, he alighted from the vehicle and asked about the name and address of the said person, who disclosed his name as Shivam. When the complainant asked Shivam to go home, he became aggressive. The complainant reasoned out with him and told his fellow Constable Vinit to accompany Shivam and escort Shivam to his home. Thereafter, the complainant and others left in their vehicle. When they reached near Verma Chowk at about 12:40 a.m., some women and men came there on two motorcycles, which included Shivam as well. It is alleged that the said persons gave beatings to them and also tore the uniform of the complainant and snatched his mobile phone as well as his purse containing an amount of Rs.230/- and also the keys of his vehicle.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that infact it is a case where the petitioner himself was inflicted as many as 7 injuries as would be evident from MLR (Annexure P-2).
4. Opposing the petition, learned State counsel has submitted that in the present case the complainant had sustained 3 injuries in the nature of abrasion and lacerated wounds, which would clearly substantiate the case of the complainant. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 3 months and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.

6. This Court finds that there is no explanation as regards the injuries sustained by the petitioner, which to some extent would cast a doubt about the veracity of allegations levelled in the FIR. In any case, the petitioner has been behind bars since the last about 3 months and challan already stands presented and the petitioner is not involved in any other case. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.

**5.7.2022**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No