

CRM-M-30492-2022

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-30492-2022

Date of decision:18.07.2022

Ram Kumar and another

...Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. R.S.Rai, Sr. Advocate with
Mr. Gautam Dutt, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioners seek anticipatory bail in case bearing FIR No.290 dated 29.03.2022, registered at Police Station Camp Palwal, District Palwal, under Sections 147, 148, 186, 307, 332, 341, 353, 427 and 506 IPC (Section 427 IPC deleted later on) and Section 3(2) of the Prevention of Damage to the Public Property Act, 1985.

Learned Senior Counsel for the petitioners contends that the complainant and the petitioners are the employees of Haryana Roadways; that on the day of the alleged occurrence i.e. 29.03.2022, there was a strike of Haryana Roadways in Palwal on the call of the concerned Employees' Union and due to the same, the petitioners were also abstaining from work; that however, the Employees' Union of Faridabad Depot, which the complainant belongs to, was siding with the Department, and that the complainant and his companions were plying the buses in order to defeat the peaceful protest of the petitioners' Union.

Learned Senior Counsel further contends that the petitioners

CRM-M-30492-2022

had not caused any damage to the public property; that a concocted story has been put forth by the complainant so as to involve the petitioners in the present case, and that the petitioners have been made a target just to besmirch their reputation and belittle their public estimate.

I have heard the learned Senior Counsel for the petitioners.

As per the case of prosecution, the complainant is serving as a driver in Haryana Roadways, whereas Sanjay Kumar is a Conductor; that while performing their official duties, they while on duty, were going in a bus from Ballabgarh to Aligarh; that on 29.03.2022, there was a strike called by the employees of Haryana Roadways in Palwal; that some employees of the Haryana Roadways had intercepted the bus of the complainant by putting a bike in front of it; that the complainant and the conductor were dragged out from the bus and beaten up; that one of the assailants, with an intention to kill them, had also poured oil upon them; that the assailants exhorted that the complainant and the conductor would be put on fire and the assailants had tried to ignite the match box, but the complainant and the conductor had been saved by the passengers of the bus, and that that the assailants had also broken the window glass of the bus.

A perusal of the FIR would show that the complainant had duly identified the petitioners-accused and one Subhash, who has since been arrested. The petitioners had caused a loss to the govt. exchequer.

This Court finds that the offence for which the petitioners are made accused, is indeed a serious in nature and it records its deep concern about the fact that the petitioners alongwith co-accused had poured oil

CRM-M-30492-2022

upon the complainant and the conductor, who were performing their official duties, and tried to ignite the match-box to set them on fire. The petitioners had, in fact, put the entire administrative set up to the ransom. Besides this, the petitioners had also caused damage to the public property by breaking the wind-shield of the govt. bus.

Keeping in view the nature and gravity of the offence, this Court finds that the petitioners are required for custodial interrogation.

Therefore, finding no merit in the present petition, the same is dismissed.

18.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No