

CRM-M-54698-2019

Date of decision-14.02.2022

Sahil

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Karan Singh, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

SUVIR SEHGAL, J. (ORAL)

Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, seeking grant of anticipatory bail in case FIR No.307 dated 25.07.2019, registered under Sections 323, 34, 354-A, 354-B, 452 and 506 of Indian Penal Code, 1860 and Section 25 of Arms Act, 1959 at Police Station Chandhut, District Palwal.

As per the case of the prosecution, FIR (Annexure P-1) has been registered on the complaint of 32 years old married lady, on the allegations that on 24.07.2019, when she was cooking meal in the kitchen and her family members were away, her neighbours namely, Lalit, Sahil (present petitioner), Vikas and two more boys, who remained standing outside, came. Sahil entered her kitchen, caught hold of her hands from behind and Lalit and Vikas slapped her and tried to use force with her. They physically assaulted her and when she raised an alarm, neighbours started gathering. The accused

broke household articles with the wooden sticks and the axe which they were carrying. Mother of Sahil and grand-mother of Vikas were standing outside and watching the entire occurrence. The complainant then ran to the fields and called her husband. When he confronted the accused, Vikas threatened to kill him with a gun which he possessed.

Vide order dated 20.12.2019, this Court granted interim protection to the petitioner and directed him to join the investigation, which he has done.

However, the petition has been opposed by the State counsel on the ground that the petitioner has a criminal past, which he has suppressed from this Court. As per instructions received by her from SI Ramjeevan, the petitioner is involved in four criminal cases, out of them, one case has been lodged after the interim protection has been granted by this Court. She has submitted a list of cases in which the petitioner is involved and it is reproduced as under:-

- 1 FIR No.376 dated 15.09.2017, under Sections 323, 427, 452, 506, 34 IPC, registered at P.S. Chandhut, District Palwal.
- 2 FIR No.453 dated 06.12.2018, under Sections 148, 149, 307, 323, 452, 506 IPC and Section 25 Arms Act, registered at P.S. Chandhut, District Palwal.
- 3 FIR No.454 dated 06.12.2018, under Sections 399, 402 IPC and Section 25 Arms Act registered at P.S. Chandhut, District Palwal; and
- 4 FIR No.169 dated 16.05.2020, under Sections 323, 325, 34 IPC, registered at P.S. Chandhut, District Palwal.

In view of the criminal antecedents of the petitioner as well the fact that he has misused the concession of interim bail, this Court is of the opinion that he is not entitled to the discretionary relief of anticipatory bail.

Petition is ordered to be dismissed.

(SUVIR SEHGAL)
JUDGE

14.02.2022
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Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No