

CRM-M-7107-2023

SANGEETA YADAV AND ANR.

...PETITIONERS

VERSUS

STATE OF UT CHANDIGARH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Lalit Sharma, Advocate for the petitioners.

Mr. Rajiv Vij, Addl. PP, for UT, Chandigarh.

VIVEK PURI,J. (ORAL)

Reply by way of affidavit of DSP Gurmukh Singh, SDPO, Central
on behalf of the respondent-State has been filed and the same is taken on record.

Petitioners are seeking anticipatory bail in the case bearing FIR No.168 dated 07.11.2022 registered under Sections 332/353/34 IPC, at Police Station Sector-17, UT, Chandigarh.

Briefly, the FIR has been registered on the basis of statement of L/SI Sundri posted in Chandigarh Police alleging that on 07.11.2022, she had come to the Court of learned Judicial Magistrate, UT, Chandigarh along with the victim girl, her parents and two sisters for getting the statement of the victim recorded under Section 164 Cr.P.C in the case bearing FIR No. 65 dated 14.10.2022, under Section 363 IPC, registered at Police Station Sarangpur, Chandigarh. The learned Judicial Magistrate had recorded the statement of the victim girl under Section 164 Cr.P.C and issued the orders to get her admitted in Ashiana, Sector-50, Chandigarh. The complainant along with L/C Amandeep, Constable-Sushil and victim girl reached Government Multi Specialty Hospital, Sector-16, Chandigarh for getting the victim medico legally examined. Thereafter, they were about

RENU BALA to leave the hospital premises when the parents and two sisters of the victim,
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namely, Raj Bahadur, Nirmala, Sarita and Sangeeta insisted for taking the victim girl along with them. The complainant tried to make them understand but the parents and two sisters of the victim girl attacked the complainant. The complainant called Inspector Rohit Kumar, SHO Sarangpur who reached GMSH, Sector-16, Chandigarh along with the police party for taking the parents and both the sisters of the victim girl. On reaching the police station, the parents and both the sisters of the victim girl attacked the complainant inside the police station. The sisters of victim girl, Sangeeta attacked her on the head with sandal due to which blood started flowing from her head and injury took place.

Learned counsel for the petitioners contend that petitioner Nos.1 and 2 are aged about 24 years and 20 years respectively and are the sisters of the victim girl in the case bearing FIR No. 65 dated 14.10.2022, under Section 363 IPC, registered at Police Station Sarangpur, Chandigarh. They do not have any criminal antecedents and no specific injury has been attributed to petitioner No.2.

Learned Addl.P.P for UT, Chandigarh has opposed the bail application on the score that the petitioners had obstructed the complainant while she was taking the victim to Ashiana as per the orders passed by the Court. The injuries were also inflicted upon the complainant in the premises of the police station. The occurrence has been recorded in the CCTV Cameras which indicates that the petitioners had inflicted injuries upon L/SI Sundri on her head.

The complainant had taken the victim girl in another criminal case to the Court for getting her statement recorded under Section 164 Cr.P.C. As per the orders passed by the Court, the victim girl was being taken to Ashiana and the petitioners along with their parents had caused obstruction in the performance of the official duties by the complainant. The petitioners had audacity of inflicting injuries upon the complainant who is working as Sub Inspector in the premises of the police station and furthermore, obstructed in

discharge of official duties which were assigned to her by the Court of learned Judicial Magistrate. In the event, the petitioners are granted benefit of pre-arrest bail, it will amount to putting premium on the criminal act attributed to them.

No extraordinary circumstances are made out in the instant case to extend the concession of pre-arrest bail to the petitioners.

In view of the above, the present petition is dismissed.

15.03.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No