

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 44009 of 2023
Reserved on :- 21.09.2023
Pronouncement on: 22.09.2023

VINOD KUMAR
... Petitioner
Versus
STATE OF HARYANA
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Chanderhas Yadav, Advocate
for the petitioner.
Mr. Surender Singh, AAG, Haryana.
.....

SANJIV BERRY, J.

By way of present petition filed under Section 438 Cr.P.C the
petitioner is praying for anticipatory bail in the event of arrest in FIR
(Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
491	23.07.2023	148, 149, 323, 341, 365, 506, 120-B IPC	Sirsa City, District Sirsa

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in the case. He
submits that no specific role/injury has been attributed to him. He submitted
that the petitioner is ready to join the investigation and prays for grant of

concession of bail to the petitioner.

3. *Per contra*, the learned State counsel opposed the bail petition and argued that as per reply dated 20.09.2023 filed by Deputy Superintendent of Police (HQ), Sirsa, District Sirsa, petitioner has been specifically named in the FIR and had hatched the conspiracy and on his instructions the abduction of the complainant took place wherein the other accused had inflicted multiple injuries on the complainant. During investigation the involvement of the petitioner and co-accused has been established in the commission of the crime. He submits that the custodial interrogation of petitioner is required and also mentioned that four cases have already been registered against the petitioner, although in two of them he has been acquitted and as such he prays for dismissal of the petition.

4. Considering the respective arguments and perusing the record it transpires that the present case was registered on the complaint of Dev Bhatia stating that on 21.07.23 at about 7-8 pm while he was going on scooty, accused Pardeep and Rajesh intercepted his vehicle and meanwhile Dalbir came there and they started abusing. Then 3-4 other persons came and all the accused started beating him badly. As per the complainant Pardeep and Dalbir were having iron pipes with which they gave multiple blows to the complainant while other persons gave fist and kick blows and thereafter they abducted him and took him to Jamal road where they tried to kill him and after giving him severe beatings, they left the complainant and ran away and the complainant was then admitted to hospital.

5. After considering the respective submissions and considering the reply submitted by the State, it transpires that specific attribution is there

to the petitioner to have been instrumental in the abduction of the complainant in hatching the conspiracy and in the process co-accused caused multiple injuries to the complainant.

6. Therefore, considering the nature and gravity of the offence, I find no case being made out in favour of petitioner for grant of anticipatory bail, the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |