

141 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45696-2023
Decided on : 14.09.2023

Sourav Sharma

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Kumar Jaglan, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

1. Prayer in the present petition is for grant of concession of anticipatory bail in case FIR No.549 dated 31.08.2023 under Sections 148, 149, 323,352, 380, 427, 452 and 506 IPC registered at Police Station Old Industrial Area, Panipat.

2. While drawing the attention of this Court to the FIR (Annexure P-1) learned counsel *inter alia* contends that the petitioner being innocent is evident from the vague allegations levelled against him much less any specific role in the occurrence in question. It has been submitted that though nothing is required to be recovered from the petitioner and hence, his custodial interrogation would not be required in the case in hand.

3. Notice of motion.

4. Ms. Trishanjli Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of respondent-State. Mr. Rajesh Goyal, Advocate has entered appearance on behalf the complainant and filed vakalatnama in Court today.

5. Learned State counsel assisted by counsel for the complainant has opposed the submissions made by counsel opposite. It has been submitted that the petitioner was specifically named in the FIR in question. It has been further submitted that despite the learned trial Court had directed the petitioner to join the investigation, he had failed to do so and as such, the extra-ordinary concession of anticipatory bail be declined to him, more so, since he is a man of criminal antecedents as it is a matter of record that he is involved in three other criminal cases.

6. Heard learned counsel for the parties and perused the relevant material on record.

7. A perusal of the allegations levelled in the FIR in question *prima facie* makes it out to be a premeditated attack. Prior to the occurrence in question, the accused including the petitioner had damaged the vehicle of the complainant for which they tendered an apology before the panchayat. However, thereafter on 30.08.2023 late in the evening, all the accused including the petitioner came to the shop of the complainant armed with wooden sticks and launched an unprovoked attack on him. Besides damaging the shop of the complainant, they removed Rs.2,12,000/- from one of the drawers of his table.

8. In the facts and circumstances particularly, the nature of allegations levelled against the petitioner as well as his criminal antecedents, he does not deserve the concession of anticipatory bail, more so, since it is evident that the crime in question has been committed by him while he was on bail in other criminal cases, which already stand registered against him. Accordingly, the present petition stands dismissed.

9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

14.09.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No