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

**CRM-M-50989-2023 (O&M)
Date of decision : 31.10.2023**

Mohinder Singh @ Lala

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sunil Agnihotri, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.139 dated 21.07.2023, under Sections 307, 379-B, 353, 186, 323, 341, 379, 506, 148 & 149 of the Indian Penal Code, 1860 (for short, '*the IPC*'); and Section 21 of the Mines and Minerals Act, registered at Police Station Machhiwara Sahib, District Ludhiana.

2. Allegations are that the petitioner along with other co-accused attacked the police party which was bringing one tractor trolley carrying sand along with its driver to Police Station Machhiwara in connection with illegal mining.

3. In pursuance of the order dated 09.10.2023, learned State counsel has produced copy of MLRs of the injured police personnel,

namely, SI Sukhdev Singh; SI Santokh Singh, PHC Paramjit Singh; ASI Ashwani Kumar; and ASI Jaswant Singh; and the same is collectively taken on record as Mark 'X'.

4. Learned counsel for the petitioner contends that petitioner was forced to supply sand to the Reader of SSP, Khanna, without any payment and on that account, false FIR has been registered.

5. *Per contra*, learned State counsel, on instructions, submits that petitioner was accompanying the accused who attacked the police party, causing injuries to the police officials.

6. Heard both sides and perused the paper-book.

7. It is not in dispute that name of the petitioner is duly reflected in the FIR and he is alleged to have raised *lalkara*. Further, a perusal of the MLRs (Marx 'X') conducted upon the injured, who were all police officials, reveals that multiple injuries were suffered by them on account of the scuffle.

8. Police is the most visible sense of security around public, but when public starts taking law into their own hands and that too, against the Police officials, is a grave situation and the Courts cannot remain mere spectators.

9. In view of the above, there is no option except to dismiss the petition.

10. Ordered accordingly.

11. It is clarified that observations made above shall not be construed as an expression of opinion on merits of the controversy, in any manner.

12. Pending application(s), if any, shall also stand disposed off.

31.10.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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