

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

104

2023:PHHC:141928

CRM-M-52324-2023

Date of decision: November 7th, 2023

Mangat Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.417 dated 03.10.2023 registered under Sections 341, 379-B, 506 of the IPC registered at Police Station Bhuna, District Fatehabad.

2. Learned counsel for the petitioner submits that the petitioner and the complainant are co-villagers and it was on account of history of strained relations between them that a false and fabricated case had been planted upon him. It has also been submitted that the delay of one day in the lodging of the FIR in question further lends credence to his false implication in the case in hand.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. A perusal of the allegations levelled in the FIR reveal that the petitioner chased the complainant on his motorcycle and thereafter the complainant was made to halt his motorcycle and physically assaulted with an iron rod, as a result of which he sustained multiple injuries on his person. When he raised a hue and cry, petitioner fled away from the spot but not before depriving the complainant of his

Driving Licence, Aadhaar Card and Rs.25,000/-. The complainant was immediately taken to the Civil Hospital, where he was medico legally examined. Besides this, this Court also cannot ignore the fact that the petitioner is a man of criminal antecedents as he is involved in three other criminal cases. The crime in question was committed by him while he was on bail in the other criminal cases, which already stand registered against him. Hence, it is evident that he has misused the concession of bail granted to him.

5. In the facts and circumstances as enumerated hereinabove, coupled with the role attributed to the petitioner, he does not deserve the extraordinary concession of anticipatory bail.

6. The instant petition, therefore, stands dismissed.

7. 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.

November 7th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No