

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-58761-2023

Date of decision: 22.12.2023

Shiv

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.133 dated 12.06.2023 under Sections 332, 353, 333, 307, 506, 34 of the IPC and Section 21(b) of the NDPS Act (Section 27-A of the NDPS Act and Section 120-B of the IPC added lateron) registered at Police Station Radaur, District Yamuna Nagar.

2. Reply by way of affidavit of Gurmail Singh, HPS, Deputy Superintendent of Police, Radaur (Yamuna Nagar), has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned State counsel, on instructions from ASI Bhupinder, has vehemently opposed the prayer made by learned counsel for the petitioner for extending the extraordinary concession of anticipatory bail to the petitioner. Learned State counsel has submitted that the petitioner played an active role in the crime in question and it

was he who instigated the co-accused to ram his scooter into the police party as a result of which SI Nar Singh received serious injuries including fractures on his leg. Learned State counsel has further submitted that there was no substance in the submissions made by the counsel for the petitioner that the petitioner had been falsely implicated in the case in hand for reasons but obvious as it was also a matter of record that the entire family of the petitioner had criminal antecedents as they were involved in a number of cases under the NDPS Act.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner is involved in a number of criminal cases under the NDPS Act. In the circumstances, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the instant petition is hereby dismissed.

6. 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.

22.12.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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