

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRA-S-425-2024 (O&M)
Date of Decision:- 20.03.2024

Anuj ... Appellant

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naresh Kumar Ganga, Advocate, for the appellant.

Mr. Ramender Singh Chauhan, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The instant appeal is directed against order dated 24.01.2024 passed by learned Additional Sessions Judge, Sirsa, vide which application filed by the appellant seeking grant of anticipatory bail has been declined in a case arising out of FIR No.621, dated 15.9.2023, Police Station City Sirsa, District Sirsa, under Sections 147, 149, 427, 506 IPC and Section 3 of SC/ST Act.
2. The FIR in question was lodged at the instance of Jagdish Kumar wherein it is alleged that on 15.9.2023 when he along with his son was proceeding from his village to Sirsa then 10-12 persons on motorcycles, who were armed with sharp edged weapons started following them. It is alleged that the said persons hurled abuses and addressed them as *dhanak* and threatened to cut them into pieces and to kill them. However, the complainant and his son managed to save

themseves by entering into a house which was open in Kalyan Nagar, Street No.1.

3. Learned counsel for the appellant submits that he has falsely been implicated in the present case and that the falsity of the FIR would be evident from the fact that although a dozen assailants are said to be armed with weapons, but not even a single injury was caused on the person of the complainant or his son. It has been submitted that it is very convenient to raise allegations as have been in the present case and that the same are not substantiated in any manner. Learned counsel for the appellant submits that two FIRs have been lodged against the accused party at the instance of the complainant party in order to pressurize them as the accused party has also lodged one FIR against them.
4. Opposing the petition, learned State counsel submits that since objectionable words have been used by the appellant, no case for grant of anticipatory bail is made out. Notice had also been issued to respondent No.2 who has chosen not to come forward to contest the appeal despite having been served.
5. This Court has considered the rival submissions.
6. Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case and the allegations and also the fact that no injury was caused to the complainant or his son though a dozen accused are said to have been armed, this Court deems it appropriate that a direction be issued to the appellant to surrender before the trial Court concerned and move an application

for grant of regular bail which shall be considered expeditiously. Accordingly, the appeal is disposed of with a direction to the appellant to surrender before the trial Court within a period of 10 days from today and to move an application for grant of regular bail. In case, any such application is filed in the forenoon of the day, the trial Court shall consider to dispose of the same expeditiously, preferably on the same day itself having regard to the fact that it is *prima-facie* not a case where any custodial interrogation would be warranted.

20.03.2024
mohan

(GURVINDER SINGH GILL)
JUDGE

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