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

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Date of decision: 05.07.2024

SATVEER AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Daljeet Singh, Advocate for the petitioners.

GURBIR SINGH, J (ORAL)

1. The prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.372 dated 05.06.2024 registered under Sections 147/149/323/452/506 IPC registered at Police Station Rania, District Sirsa.

2. As per allegations, Anita-complainant got her statement recorded to police that she has two sons and two daughters, who were married. Her husband has two brothers and sisters. They are residing separately for the last 20 years. Her father-in-law Nathu Ram has already sold the entire ancestral land and recently he has sold one acre land for Rs. 25 lacs. They demanded their share. Panchayat was convened but Nathu Ram refused to give anything to the complainant. On 04.06.2024, at about 7:00/8:00 P.M, she was sitting with her husband at her house, in the meantime Nathu Ram armed with Danda, Satveer armed with a Kappa and Ravi, son of Satveer, armed with double barrel gun and 7-8 other unknown persons, surrounded the house of the complainant. Out of the above said persons, four persons namely Ravi, Satveer and Nathu Ram and two unknown persons entered in their house with the intention to kill the

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complainant party. Satveer gave a kappa blow on the face of her husband and Ravi kicked her husband. When the complainant raised alarm, two persons thrashed her and torn her clothes. In the said scuffle, her gold chain and mangal sutra had fallen and someone had taken it away. She raised alarm, which attracted the neighbours and on seeing them, all the assailants ran away from the spot along with their weapons. One of the assailant was apprehended at the spot by the villagers.

3. Learned counsel for the petitioners has argued that complainant party was infact the aggressor party and on account of their behavior, Nathu Ram did not give any share in land to them. Infact, the complainant party had attacked Nathu Ram on that day but the police under the influence of complainant, falsely implicated the petitioners in this case as son of the complainant is employed in Haryana Police.

4. Notice of motion.

5. Mr. Karan Sharma, DAG, Haryana appears and accepts notice on behalf of the respondent-State. He has opposed the prayer made by the learned counsel for the petitioners and has submitted that as per opinion of Doctor, injury on the husband of the complainant, namely Baag Ram, was found to be grievous in nature and said injury is attributed to Satveer-petitioner No.1, with kappa. He further submits that allegations are very serious.

6. Heard.

7. At this stage, learned counsel for the petitioners submits that he does not want to press the petition on behalf of petitioner No.-1 Satveer.

So, petition qua him be dismissed as withdrawn.

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8. In view of the above statement made by the learned counsel for the petitioners, petition qua **petitioner No-1 Satveer** is hereby **dismissed as withdrawn.**

9. As per allegations, Ravi was armed with gun but case is not registered under the Sections of Arms Act. There is no allegation that he used the gun. The allegations against Ravi are general in nature that he kicked the complainant.

10. In view of facts and circumstances of the case. It is a case where Ravi is entitled for bail before arrest. Petitioner No.2-Ravi is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

11. Petition stands disposed of.

05.07.2024*renu***(GURBIR SINGH)
JUDGE**