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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-34377-2023

Date of Decision:21.02.2024

Doda Rana Alias Rana

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM:

HON'BLE MR. JUSTICE HARKESH MANUJA

Present :

Mr. A.S. Sabharwal, Advocate  
for the petitioner.

Mr. Sidharth Sandhu, Assistant Advocate General, Punjab.

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HARKESH MANUJA, J. (ORAL)

[1]

Through this petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No 174 under Sections 307, 332, 353, 186, 225, 427, 148 and 149 of IPC and under Section 8B of National Highway Act, 1956 and under Section 3 of Prevention of Damage to Public Property Act, 1984, wherein the petitioner has been implicated on the allegations of having used force on the police party for getting his son namely Vikram released from the police custody and made him to flee away with the assistance of few others.

[2]

Affidavit of Karan Singh Sandhu, PPS, Deputy Superintendent of Police, Sub-Division Kharar-1, District SAS Nagar has been filed on behalf of respondent -State of Punjab. The same is taken on record.

[3]

Learned counsel for the petitioner submits that in the present case, there is no injury inflicted upon any police officials and there is no medical report in this regard. He further submits the petitioner was never

present at the spot and nor was seen at the place of occurrence, besides even in the press conference conducted by the officials of the respondents on the date of alleged incidents there was no reference made about him. Learned counsel for the petitioner further submits that the petitioner was never arrayed as an accused in FIR (supra).

[4] On the other hand, learned State counsel opposes the present petition while submitting that the son of the petitioner namely Vikram was arrayed as one of the accused in FIR No. 174 dated 10.06.2023 and when the police officials reached at the spot to apprehend aforesaid Vikram, then they were attacked by the petitioner then by obstructing them from performing their duties.

[5] I have heard learned counsel for the parties and gone through the paper book.

[6] I am unable to find any substance in the submissions made on behalf of the petitioner as the petitioner along with others have used force against the police officials while they were discharging their statutory duties while proceeding against Vikram (the son of the petitioner) who was arrayed as one of the accused in FIR No 174 dated 10.06.2023. As per the record referred to by learned State counsel, in the aforesaid incident, even the officials namely Harjit Singh, Police Station Kharar as well as Surjit Singh ASI Chowki Sunny Enclave got injured during escape of said Vikram.

[7] In view of the facts and circumstances of the present case and also the nature of allegation and the offence in the humble opinion of this Court, the custodial interrogation of the petitioner is necessary and thus the prayer made by petitioner for grant of anticipatory bail is declined.

[8]                   Accordingly, the present petition is dismissed.

21.02.2024

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( HARKESH MANUJA )

JUDGE

Whether Speaking/reasoned      Yes/No

Whether Reportable                Yes/No