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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32995-2024 (O&M)
Date of Decision: - 11.12.2024

SOURAV DAHIYA ...Petitioner
Vs.
STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Devender Kumar, Advocate for the petitioner.
Mr. Kanwar Sanjiv Kumar, AAG, Haryana.
Mr. Kunal Dawar, Advocate for the complainant.

AMARJOT BHATTI, J.

CRM-46438-2024

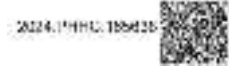
This is an application under Section 482 Cr.P.C. for placing on record amended head note and prayer clause.

For the reasons mentioned in the application, same is allowed and the accompanied head note and prayer clause are taken on record. Registry is directed to tag the same at appropriate place.

Main case.

1. Petitioner Sourav Dahiya has filed instant petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.469 dated 09.06.2024 (Annexure P-1) under Sections 147, 148, 323, 506 IPC (Sections 325, 365 and 367 added later-on) registered at Police Station Camp Palwal, District Palwal.

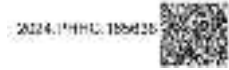
2. Facts of case are that complainant Hansu filed written complaint alleging that as per his routine on 07.06.2024 he had gone to the



ground of SD College, Palwal. At about 7 PM, he received a message from mobile No.89507-10745 that somebody wanted to meet him and he was asked to come out from the college. Complainant came out from the college where Saurav son of Raju along with 5-6 other boys were in Swift car and the others were on their motorcycles. They started abusing him. They gave him beating with an intention to kill him and he was forcibly abducted in the said car. He was slapped and given kick blows. He was thrown on railway track and was again beaten up with iron rod, as a result his hand was fractured. They prepared a video while giving him beating. They were alleging that said video will be put on internet. He was thrown near Alawalpur flyover and went away. He was taken to Guru Nanak Hospital, Palwal for treatment where his statement was recorded.

3. Learned counsel for petitioner argued that allegations levelled against him are false. There is delay of two days in lodging report to the police. Offence under Section 325, 365 and 367 of IPC were added later-on. Petitioner is involved in other FIRs but he is on bail in all cases. He is ready to abide by the terms of bail order. Therefore, his anticipatory bail may be allowed.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed confirming the allegations as detailed in the FIR. It is pointed out that regarding incident there is CCTV footage. As per medical record, there was fracture of 1st meta-carpal of his right hand and displaced fracture of second meta-carpal right hand. Weapon of offence and the car used in the occurrence are yet to be recovered and for



this, his custodial interrogation is required. In the status report dated 10.08.2024 there is reference of four FIRs registered against him and in two of the FIRs he is facing trial and one FIR, case is fixed for his appearance and there is recent FIR No.122 of 2024 under Sections 323, 365, 452, 506 and 34 of IPC, P.S. Sadar Palwal is under investigation.

5. I have considered the arguments and the aforesaid factual position. Petitioner is specifically named. He is yet to join the investigation. It is rightly pointed out in status report that weapon of offence and the car used in the occurrence are yet to be recovered. Present petitioner is already having criminal antecedents. Considering the aforesaid factual position, I do not find a fit case for grant of anticipatory bail and the same is accordingly declined.

(AMARJOT BHATTI)
JUDGE

11.12.2024
snd

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