

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217 CRM-M-59577-2023
Date of Decision.:16.01.2024

SakirPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sanyam Khetarpal, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.260 dated 01.08.2023 registered under Sections 148, 149, 332, 353, 186, 307, 435, 427, 120-B of the IPC, 1860 registered at Police Station City Nuh, District Nuh, Haryana.

2. As per allegations, on 31.07.2023, Constable Ramendra Singh was posted as driver on a official vehicle allotted to Woman ERV Durga Sakti. At about 01:45 p.m. he alongwith other officials were on patrolling and crime checking duty, present at Village Malab Polytechnic College, when a crowd belonging to a particular community came at Village Malab side and at the sight of the crowd the police party proceeded towards City Nuh. As they reached near old Bus Stand, Nuh, 700-800 people reached there and surrounded the police officials. The mob started pelting stones and firing shots on their vehicles. In the said occurrence the glass of their vehicle

was damaged. One stone hit right shoulder and another on the head of Constable Ramendra Singh. It is alleged that petitioner was part of the mob. FIR was registered. The burnt vehicles were taken into possession.

3. It is contended by learned counsel for the petitioner that petitioner is one of the victim. He is the driver of truck No. NL-01-AB-6019 which was loaded on 30.07.2023 as per Annexure P-2 and had crossed Tauru barrier at 02:02 p.m. as per Annexure P-5. Learned counsel submits that when the truck of the petitioner reached at the spot, petitioner became the victim as damage was caused to his truck also. Learned counsel for the petitioner has drawn attention towards photograph Annexure P-6 in this regard.

4. Learned counsel for the petitioner further contends that various co-accused have already been allowed the benefit of regular bail, by way of different orders vide Annexure P-7 to Annexure P-19. Learned counsel for the petitioner also contends that petitioner is ready to join the investigation.

5. Learned State counsel has opposed the bail petition on the ground that petitioner is named in the FIR to be part of the mob.

6. Having regard to the aforesaid facts and circumstances, it is directed that in the event of arrest of the petitioner, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the

country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

January 16, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No