
(2021) 01 P&H CK 0375

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 44237 Of 2020

Sanjay

APPELLANT

Vs

State Of Haryana

RESPONDENT

Date of Decision : 19-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 149, 294, 506
Arms Act, 1959 — Section 25
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 01 P&H CK 0375

Hon'ble Judges : Avneesh Jhingan, J

Bench : Single Bench

Advocate : Narender Singh Kamboj, Deepak Bhardwaj, Jagjit Singh Gill

Final Decision : Disposed Of

Judgement

Avneesh Jhingan, J

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for anticipatory bail in case of FIR No. 432 dated 16.12.2020, under Sections 147, 148, 149, 294, 506 of the IPC, 1860 and Section 25

of The Arms Act, 1959, registered at Police Station Mandi Dabwali, District Sirsa.

The FIR was at the instance of the complainant to take action against Ranjit Singh, Sanjay Gugnani, Kuljeet, Virender Narang alias Raju, Parveen

Kumar and Lovely. As per the allegations, there was a dispute with regard to freight of the goods being transported during the COVID period. The

allegations are that the freight was hiked and due to non-payment, the goods were not being released by the transporters. It was stated in the FIR that

certain armed persons including the petitioner attacked the office of the

complainant but as the door was closed they could not enter. It was claimed that there is CCTV footage of the incident.

On 30th December, 2020, learned counsel for the State sought time to file an affidavit as to whether the petitioner is visible in the video clipping produced by the Public Prosecutor.

Affidavit dated 12.01.2021 was filed. Para 7 of the affidavit is as quoted below:-

7. That no person has been stated to be accused/petitioner-Sanjay in video clipping. However, it has been stated by the complainant that the

persons visible in the video clip had come on the spot due to the conspiracy hatched by petitioner/accused-Sanjay. Translated copy of the statement of

complainant-Sanjay dated 05.01.2021 is attached herewith as annexure R-1.

Considering that as per the affidavit, the petitioner is not visible in the video clipping; he is not the persons who have been stated to be with armed with

guns or rods, the petitioner is granted anticipatory bail subject to joining the investigation within two weeks. He shall be bound by the conditions under

Section 438 (2) Cr. P.C. In case of arrest, the petitioner shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the

Investigating/Arresting Officer. He is directed to join the investigation as and when called.

The petition stands disposed of.

It is clarified that in case of failure of the petitioner to join investigation within the stipulated time, the State would be at liberty to move an application for re-calling the order.