



203. CRM-M-46067-2024

SANTOKH SINGH VS STATE OF HARYANA

Present: Mr. Charnjit Singh Bahia, Advocate, for the petitioner.

This is second petition that has been filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case FIR No.035, dated 05.05.2021, under Sections 307, 34 of IPC, 1860 and Section 25 of Arms Act, 1959 (Sections 302, 452, 506 of IPC, 1860 added lateron) registered at Police Station Rori, District Sirsa.

Mr. Rajiv Sidhu, DAG, Haryana, has appeared in this case in pursuance of the notice of the instant petition having been sent to the respondent-State in advance. He seeks some time to file status report in the matter.

When asked that advance notice was issued to the State and copy of the petition was already supplied, then why instructions have not been received from the concerned quarter. He submits that he called SHO Mr. Narender, Police Station Rori, District Sirsa, who asked him (State counsel) that the concerned Investigating Officer of the case would call him and give instructions. Then, the concerned IO Ramniwas, ESI, called the State counsel, but said IO, being in drunken condition, misbehaved with the State counsel. Thereafter, said IO handed over his mobile phone to EHC Ashok, who was also in drunken condition and also misbehaved with him. Then, he (State counsel) made a call to the Superintendent of Police, Sirsa Shri Vikrant Bhushan, IPS, and narrated the entire incident but he, instead of taking action against the above said police officials, also misbehaved

with him and flatly refused to give any instructions in the above said case to assist the court and also defend the State.

Mr. Narender, SHO, Police Station Rori, District Sirsa is present in Court.

However, on asking of the Court, he has stated that neither he has been called by the Court nor by the State counsel. Since there are instructions by the Government of Haryana that personal appearance of the police officials is not required unless it is required by the Court, but SHO on his own has come to this Court.

The matter is quite serious. Misbehaving with a State counsel, who is an officer of the Court, and who was just asking for instructions in the above said matter to assist this Court, amounts to interference in the judicial process.

Let the DGP, Haryana to inquire into the matter and send action taken report to this Court before the next date of hearing.

Adjourned to 27.09.2024.

Status report be also filed in the meanwhile with a copy in advance to the counsel opposite.

Copy of this order be also send to Chief Secretary, Haryana.

(GURBIR SINGH)
JUDGE

September 20, 2024
sanjeev