

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M- 37383 of 2015
Date of Decision:-06.11.2015

Inder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.534, dated 23.09.2015, for offence under Sections 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 (for brevity "the SC/ST Act"), registered at Police Station, Narnaund, Distt. Hisar (Haryana).

Learned counsel for the petitioner contends that the petitioner is in custody since 03.10.2015 and contents of FIR does not make out the case invoking Section 3 of the SC/ST Act. He further submits that in first investigation, the allegation against the petitioner was found to be incorrect.

Learned counsel for the State submits that the petitioner is also an accused of in another case i.e. FIR bearing No.161, dated 17.04.2015, under Sections 147, 149, 323, 341, 506 IPC and Section 3 of the SC/ST Act, therefore, he does not deserve the concession of regular bail.

I have heard learned counsel for the parties and have gone through the case file.

Taking into consideration the nature of allegation and coupled with the fact that in the initial investigation, the allegation was found to be incorrect, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

It is, however, also made clear that expression made here-in-above shall not be construed as an expression on the merit of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

November 06, 2015
Anjal