

CRM-M-31443-2016

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of Decision: 25.10.2016

Narender and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepender Singh, Advocate,
for the petitioners.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

Mr. Dinesh Arora, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners, Narender, Krishan, Sandeep, Paramhans, Parasram and Sandeep have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.691 dated 11.08.2016, registered at Police Station Jhajjar, District Jhajjar, under Sections 323 and 506 IPC and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity, 'SC & ST Act').

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and complainant also put in appearance through his counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State

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counsel as well as learned counsel for the complainant and have gone through the record.

From the record, I find that FIR, in the present case, has been registered only under Sections 323 and 506 IPC and Section 3 of the SC & ST Act. As per the FIR, the complainant was given beatings. There is general allegation that the complainant was abused by uttering the word as '*Dhed*'. There is no specific allegation against any of the petitioners, who uttered this insulting word.

In pursuance of the interim order dated 06.09.2016 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioners to custody, I find merit in this petition and the same is allowed. The order dated 06.09.2016, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

25.10.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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