

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

**CRM-M No.43653 of 2015 (O&M)
Date of Decision: 02.03.2016**

Vickey @ Toni

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Bijender Dhankhar, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by ASI Om Parkash.

JASWANT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner-Vickey @ Toni in case FIR No.425 dated 17.10.2015, under Sections 354-A, 506, 34 of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered with Police Station Beri, District Jhajjar.

As per allegations when the prosecutrix was going from her College to Bus Stand, petitioner along with two other boys on two motorcycles came and started abusing her, tried to outrage her modesty and threatened to kidnap and kill her. It is alleged that this was done because she belongs to SC community.

It was contended that from the reading of the FIR, it is evident that no utterances under the SC/ST Act were made against girl. Alleged offence under Section 354-A, IPC is stated to be bailable whereas a bald allegation has been made to constitute an offence under Section 506, IPC. Petitioner is stated to be 22 years old Student and willing to join investigation.

Learned Counsel for the petitioner submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

Learned State Counsel, assisted by ASI Om Parkash, concedes that the petitioner has joined the investigation and his custody is not required.

In view of the above, interim protection/pre-arrest bail granted by this Court, vide order dated 23.12.2015, is made absolute.

Disposed of.

March 02, 2016

Gagan

**(JASWANT SINGH)
JUDGE**