

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

**Crl. Misc. No.M-3406 of 2017 (O&M)
Date of Decision: August 17, 2017**

Sukhwant Singh

.....PETITIONER(s).

VERSUS

State of Haryana and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.S.Dhaliwal, Advocate
for the petitioner (s).

Mr. Ashish Yadav, Addl. A.G., Haryana.

Mr. Arvind Bansal, Advocate
for respondent No. 2.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 03 dated 07.01.2017 registered for the offences punishable under Sections 323, 506 of Indian Penal Code and 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short SC/ST Act) at Police Station Guhla, District Kaithal.

Heard.

Learned State counsel on instructions from ASI Rajender Singh submits that petitioner has joined the investigation. The police is still looking into the language attributed to the petitioner to make out as to whether it prima facie makes out offence under the provisions of SC/ST

Learned counsel for the complainant submits that interpretation of the word '*Gittal Ded*' should be left for the trial Court to interpret to make out as to whether the offence is punishable under the provisions of SC/ST Act. At this stage, he does not want to address any argument on this point.

In view of submission of learned State counsel as well as counsel for the complainant but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 02.02.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

August 17, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***