

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

CRM No.M-31582 of 2018 (O&M)
Date of Decision: September 25, 2018

Ram Rati

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Farukh Abdullah, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

Mr.Mazlish Khan, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 read with Section 482 Cr.P.C. for grant of anticipatory bail in case FIR No.284 dated 14.05.2018 under Sections 323, 506, 34 IPC and Section 3(x) of the Scheduled Tribes and Scheduled Castes (Prevention of Atrocities) Act, registered at Police Station Nuh, District Mewat.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that the both, complainant and present

petitioner, are Anganwari workers. The offences are mainly under Sections 323, 506, 34 IPC and Section 3 of the SC/ST Act. The perusal of the FIR shows that there is no mention regarding caste of both the parties. Secondly, it has been brought to the notice of this Court by learned State counsel that earlier DDR was registered but there was no mention of caste words in the same. Further, as per FIR, the occurrence took place in the police station itself but the FIR was registered after delay of about 24 days.

The petitioner has already joined the investigation. She is not required for investigation or custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 26.07.2018 granting interim bail to the petitioner, is made absolute.

September 25, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No