

**CRM-M-46176-2018**

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

**CRM-M-46176-2018**

**Date of Decision: 20.11.2018**

Mahender Soni

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Ms. Sakshi Saini, Advocate,  
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

**INDERJIT SINGH, J. (Oral)**

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.204 dated 13.09.2018, registered at Police Station Uklana, District Hisar, under Sections 294, 323, 325 and 452 of the Indian Penal Code and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity, 'SC & ST Act, 1989').

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

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I have gone through the FIR wherein there is no allegation under SC and ST Act, 1989 against the present petitioner.

Moreover, in pursuance of the interim order dated 17.10.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

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, I find merit in this petition and the same is allowed. The order dated 17.10.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

However, nothing stated above shall constitute my opinion on merits of the case.

**20.11.2018**

parveen kumar

**(INDERJIT SINGH)  
JUDGE**

|              |                           |   |     |
|--------------|---------------------------|---|-----|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes |
|              | Whether reportable        | : | No  |