

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

214

CRM-M-2907 of 2019 (O&M)

Decided on : 09.05.2019

Smt. Rajbala

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr.Ravinder Phogat, Advocate
for the petitioner.
Mr.D.R.Singla, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

CRM-15296 of 2019

This is an application for adding Section 307 of IPC (which was added later on) in the head note and prayer clause of the aforesaid bail application.

Learned counsel for the petitioner states that Section 307 IPC was added in the course of investigation and hence, he could not mention the same in the head note and prayer clause.

The application is allowed and Section 307 IPC is ordered to be added in the head note and prayer clause.

Registry is directed to carry out the necessary corrections in the head note and prayer clause of the bail application.

CRM-M-2907 of 2019

The petitioner is seeking anticipatory bail in FIR No.424 dated 9.11.2018, under Sections 341, 506 and 34 IPC and Sections 3(2) (VA) of SC/ST Act (added lateron), registered at Police Station City Dadri, District Charkhi Dadri.

Learned counsel for the petitioner contends that allegations in the FIR do not prima facie constitute an offence under Sections 3(2) (VA)

the caste of the complainant. Thus, the bar under Section 18-A of the Act would not be attracted and all other sections of the IPC areailable except Section 307 IPC. The injury under this Section 307 IPC is attributed to the co-accused Kalia and Deepak.

A coordinate Bench of this Court, by the order dated 22.1.2019 had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Bhim Singh Singh states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 22.1.2019 granting bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

[ANUPINDER SINGH GREWAL]
JUDGE

09.05.2019

sd

Whether speaking/reasoned

: Yes/No

Whether Reportable

: Yes/No