

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

236

CRM-M-15704-2019 (O&M)

DATE OF DECISION:10.04.2019

JAGDEEP

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ashok Arora, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 12, dated 15.01.2019, under Sections 323/325/506/34 IPC and Section 3 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC & ST Act'), registered at Police Station Agroha, District Hisar.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that he had slapped the complainant and given him fist blows. The allegations, however, do not *prima facie*, constitute an offence under the SC & ST Act. It was only on the basis of supplementary statement that allegations were leveled against the petitioner but they themselves would not, *prima facie*, constitute an offence under SC & ST Act. Learned counsel further states that the petitioner is in custody for over two and a half months since his arrest on 27.1.2019. He also states that

the petitioner is not involved in any other case.

Learned State counsel, upon instructions from ASI Dhanraj, states that the investigation has been completed but no prosecution witness has been examined so far.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over two and a half months and he is not involved in any other case, I deem it appropriate to grant him the concession of regular bail.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

10.04.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No