

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

CRM No.M-18283 of 2019 (O&M)

Date of Decision: May 23, 2019

Keshav

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Amandeep Singh, Advocate for
Mr.Sanjiv Kumar Aggarwal, Advocate
for the petitioner.

Mr.Chetan Sharma, AAG, Haryana
for the respondent-State.

Mr.Chanchal K. Singla, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0445 dated 29.11.2018 under Sections 323, 34, 506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Hut, District Palwal.

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 injuries as stated in the FIR are simple in nature under Section 323 IPC. Learned counsel for the complainant argued that under Section 18 of the SC/ST Act, bail cannot be granted to the petitioner. On the other hand, learned counsel for the petitioner contended that from the perusal of the FIR itself, it is clear that the words as stated in the FIR were not uttered in presence of any other persons i.e. in public view. He further contended a false FIR has been got registered against the petitioner.

The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending and keeping the petitioner in custody till the disposal of the case.

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 29.04.2019 granting interim bail to the petitioner, is made absolute.

May 23, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No