

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

**CRM-M No. 43885 of 2018
Date of Decision:-17.01.2019**

Raj Kumar alias Raju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- None for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 0209 dated 19.9.2018 (Annexure P-1), under Sections 323, 341 and 506 IPC and under Section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (amended 2015), registered at Police Station Uklana, District Hisar.

On 05.10.2018, this Court had passed the following order :-

“Learned counsel for the petitioner states that apart from the fact that no recovery is required to be effected from the petitioner, a bare perusal of the FIR nowhere remotely suggest that the offence under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention

of Atrocities) Act, 1989, is made out.

Notice of motion for 17.01.2019.

Meanwhile, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 05.10.2018, the petitioner has joined the investigation.

Learned State counsel on instructions of ASI Jai Bhagwan submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.10.2018, is made absolute.

The petition stands allowed.

January 17, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No