

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

**CRM-M No. 45074 of 2018
Date of Decision:-14.02.2019**

Kamal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. S.S. Momi, Advocate
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. 371 dated 13.9.2018, under Sections 451, 506, 34 IPC and Section 3(2)(Va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, registered at Police Station Badhra, District Charkhi Dadri.

On 10.10.2018, this Court had passed the following order :-

“It has been submitted that threat has been given through mobile phone, which does not fall within ambit of Section 3(2) (Va) of SC & ST (Prevention of Atrocities Act) 1989.

Notice of motion for 22.10.2018.

In the meanwhile, the petitioner is directed to

surrender before the Arresting/Investigating Officer within seven days. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

Learned counsel for the petitioner contends that in pursuance of the order dated 10.10.2018, the petitioner has joined the investigation.

Learned State counsel on instructions of ASI Parveen Kumar 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 10.10.2018, is made absolute.

The petition stands allowed.

February 14, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No