

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

**CRM-M No.46547 of 2018 (O&M)
Date of Decision: 04.02.2019**

Raj Kumar

..... Petitioner

Versus

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Neeraj Sheoran, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.133 dated 15.07.2018, under Sections 323, 341, 427, 34 of the Indian Penal Code, 1860 and Section 3(2)(VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Behal, District Bhiwani.

This Court, while issuing notice of motion on 22.10.2018, passed the following order:-

“ A bare perusal of the FIR transpires that nothing is mentioned with regard to the offence under Section 3(2) (VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Notice of motion for 04.02.2019.

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 loose the benefit of interim bail allowed to him. ”

Today, learned Counsel for the petitioner submits that petitioner has joined the investigation in terms of aforesaid order and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Rajinder.

In view of above, interim order dated 22.10.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of opinion on the merits of the case.

February 04, 2019

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No