

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

207

**CRM-M-26951-2019**

**Date of Decision: 23.07.2019**

Deepak and another

....petitioners

Versus

State of Haryana

.....respondent

**CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL**

Present: Mr.Parveen Kaushik, Advocate  
for the petitioners

Mr.Manish Bansal, DAG Haryana

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**ANIL KSHETARPAL, J. (ORAL):**

Prayer in this petition is for grant of anticipatory bail in FIR No.125 dated 04.06.2019 under Sections 295/34/427/506 IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (Amendment 2015), registered at Police Station Israna, District Panipat, Haryana.

On 17.06.2019, the following order was passed by this Court:

*Learned counsel for the petitioners states that complainant Naresh Kumar and others were trying to raise construction over the Panchayat land regarding which, Sheela, mother of petitioner No. 1, and others filed a suit for permanent injunction and vide order dated 31.05.2019, status quo order qua construction over the suit property was passed.*

*Learned counsel for the petitioners further states that the present FIR is in fact a counter-blast to the aforesaid status quo order.*

*Learned counsel for the petitioners further states that the allegation in the FIR does not fulfill the ingredients of SC/ST Act.*

*Notice of motion for 23.07.2019.*

*Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”*

Learned State counsel, on instructions from ASI Jitender Kumar, submits that the petitioners have joined the investigation, co-operated and not required for further custodial interrogation.

Learned State counsel has submitted that this petition has not been filed under Section 482 Cr.P.C.. Be that as it may, once the petitioners are not required for further custodial interrogation, this petition is treated as under Section 438 Cr.P.C. read with Section 482 Cr.P.C.

In view of the above, the petition is allowed and the order dated 17.06.2019 is made absolute.

**23.07.2019**

*neenu*

**(ANIL KSHETARPAL)  
JUDGE**

Whether speaking/reasoned  
Whether reportable-

Yes/No.  
Yes/No