

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-29235-2019

Date of Decision: August 26, 2019

Dharambir and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Gurpreet Singh, Advocate
for the petitioner.

Mr. Surinder Singh, AAG, Haryana.

Ms. Bhawna Grewal, Advocate,
for Mr.S.K. Yadav, Advocate,
for the complainant.

Amol Rattan Singh, J. (ORAL)

Pursuant to the order dated 11.07.2019, learned State counsel on instructions from the police official, who is present in Court to assist him, submits that the petitioners have joined investigation.

He further submits that the weapons of offence alleged to have been used by the petitioners have not been recovered and further, with the offence punishable under Section 3 of the Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 having been added subsequently on 30.04.2019, the petitioners cannot be admitted to anticipatory bail.

Learned counsel for the complainant has appeared and reiterated the contentions raised by learned State counsel.

It is to be noticed (as already observed in the order dated 11.7.2019), that as regards the offences other than those punishable under the provisions of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, the petitioners had already been admitted to anticipatory bail by the learned Additional Sessions Judge, Narnaul, on 03.04.2019. As regards the offences punishable under the provisions of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, admittedly the said offence has been added in the FIR upon a supplementary statement stated to have been made by the complainant on 30.04.2019, with the FIR having been registered on 05.11.2018. Consequently, as regards those offences, I see no reason to upset that order.

That being so, with the authenticity of the supplementary statement yet to be determined, I see no reason to not make absolute the order of this Court dated 11.07.2019, admitting the petitioners to anticipatory bail. Ordered accordingly.

Petition stands disposed of.

However, it is made clear that nothing observed herein above, or in the previous orders, would be construed to be a comment by this Court on the actual merits of this case, which naturally would be subject matter of investigation.

August 26, 2019
vkd

(Amol Rattan Singh)
Judge

Whether speaking / reasoned: Yes
Whether reportable : No