

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4529-2020 (O&M)
Date of Decision:- 3.2.2020

Shubham

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajiv Dhawan, Advocate, for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of offence under Section 3(2)(v) of SC and ST Act, which is now sought to be added in FIR No.816, dated 29.9.2018, registered at Police Station Civil Lines, Karnal, under Section 306 IPC, wherein the petitioner has already been granted bail vide order dated 21.8.2019 (Annexure P-2) in respect of offence under Section 306 IPC.
2. Learned counsel for the petitioner has submitted that the police has now issued notice under Section 41(a) Cr.P.C. asking him to join investigation. It has further been submitted that in any case a perusal of FIR would show that no objectionable utterance has been made so as to attract any offence under Section 3 of SC and ST Act.

3. Notice of the petition be issued to the respondent-State.
4. Upon request made by this Court, Mr. Ashok Singh Choudhary, Addl. A.G. Haryana, accepts notice on behalf of the respondent.
5. Having heard the learned counsel for the petitioner and also the learned State counsel and while bearing in mind that the petitioner has already been granted anticipatory bail in respect of the main offence under Section 306 IPC and while also noticing that in the FIR there is no objectionable utterance, it will be certainly debatable as to whether any offence under Section 3(2)(v) of SC and ST Act would be attracted. In these circumstances, the petition is allowed and the petitioner is directed to appear before the learned Illaqa Magistrate/trial Court within one week from today. The Illaqa Magistrate/trial Court shall release him on bail subject to his furnishing bail bonds and surety bonds to its satisfaction. The trial Court concerned would be at liberty to impose any such condition as deemed appropriate in the facts and circumstances of the case.

February 3, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No