

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

**CRM-M-19778-2020
Date of decision: 23.11.2020**

Iqbal Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 289 dated 15.05.2020, registered under Sections 323/506/34 of the IPC and Section 3 of the SC/ST Act, 1989 at Police Station Mujesar, District Faridabad.

The operative part of the order dated 21.07.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner refers to the order dated 10.07.2020 (Annexure P-2) passed by the Additional Sessions Judge, Faridabad, whereby it has been observed that casting remarks were not uttered by the petitioner at the time of alleged incident. However, application for grant of anticipatory bail has been rejected on the ground that they are residents of the same village i.e. Gaunchhi and the incident took place within the public view.

Learned counsel for the petitioner refers to the judgment passed by this Court in ***Mohan Singh vs. Satpal***, 2014 (28) RCR (Criminal) 475 on the proposition that

where there is evidence that casting remarks were not uttered in the public view, anticipatory bail should be granted.

Notice of motion.

On the asking of the Court, Mr. Karan Sharma, AAG, Haryana accepts notice on behalf of respondent-State and states that there are three more cases pending against the petitioner.

Adjourned to 25.09.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 21.07.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from DSP Dalbir Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 21.07.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.11.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No