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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 27200 of 2020 (O&M)
Decided on: 08.12.2020

Pardeep

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : None for the petitioner.

Mr. Vijay Deswal, DSP Kanina, District Mahendergarh.

ARVIND SINGH SANGWAN, J. (Oral)

In view of the resolution of the Bar, the Lawyers have decided to abstain from work.

The petitioner prays for grant of anticipatory bail in FIR No.305 dated 22.08.2020 registered under Sections 447, 506 IPC and Section 3(1)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, at Police Station Kanina, District Mahendergarh.

The operative part of the order dated 10.09.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner has argued that as per the allegations in the FIR, the complainant has stated that he is owner of the plot, which the petitioner wants to take forcible possession. It is further submitted that, in fact, the petitioner has applied for demarcation of the disputed plot

CASE HEARD THROUGH VIDEO CONFERENCING

and a revenue official conducted a demarcation on 08.07.2020 in presence of the villagers and as per the report, the land claimed by the complainant, in fact, is in possession of the Gram Panchayat as it has built a road with blocks and the petitioner is not found to be in possession of any part of the land of the complainant. Lastly, it is submitted that since the petitioner was not found in possession of any part of the land of the complainant, no offence under Section 3(1)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, is made out.

Notice of motion....”

The Deputy Superintendent of Police, Kanina, District Mahendergarh submits that, in pursuance to the order dated 10.09.2020, the petitioner has joined the investigation and he is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 10.09.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

**(ARVIND SINGH SANGWAN)
JUDGE**

08.12.2020

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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No