

CRM-M-32496 of 2020

**204IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-32496 of 2020
Date of decision: 07.12.2020

Mohar Singh

.....Petitioner

vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Suresh K. Jindal, Advocate, for the petitioner.
Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.548 dated 13.09.2020 registered under Sections 323, 324, 341, 506 and 34 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SC/ST Act') at Police Station Samalkha, District Panipat.

Briefly stated, the case of the prosecution is that the petitioner along with his co-accused attacked the complainant; threatened to kill him and his family members and abused him by calling him a chamar etc.

Learned counsel for the petitioner contends that due to personal enmity between the petitioner and the complainant party the petitioner has been falsely implicated in the case; no case under the SC/ST Act is made out as the alleged words were not uttered in public; even if the case of the

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prosecution is taken on its face value, though the same is vehemently denied, the petitioner is attributed only simple injuries; there is no other criminal case in which the petitioner is involved and that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency.

Learned State counsel on instructions from ASP Pooja Vashisht submitted that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above noticed facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 13.10.2020 granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

December 07, 2020
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No