

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

CRM-M-2133-2021 (O&M)

Date of Decision: 15.01.2021

Rinku Kumar alias Rinku alias Rinti

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Raj Kapoor Malik, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.489 dated 13.12.2020 under Sections 148, 149, 323, 427, 506 IPC and Section 3(2) (V) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Pundri, District Kaithal.

Learned counsel for the petitioner urges that the petitioner has been falsely implicated in the present case while further contending that the petitioner had himself joined the investigation.

Notice of motion.

Mr. P. P. Chahar, DAG, Haryana appearing through the medium of video conferencing accepts notice on behalf of the respondent-State and on instructions from DSP Ravinder Sangwan, very fairly submits that the petitioner himself belongs to the SC/ST category, therefore, the said Sections would not be applicable against him. It is further contended that

the petitioner has already joined the investigation at his own behest and his custodial interrogation would not be required in the matter as no recovery is to be made from him.

I have heard learned counsel for the parties and have gone through the paper book.

Admittedly, the petitioner belongs to the SC/ST category and himself had joined the investigation. No useful purpose would be served by sending the petitioner behind the bars, as no recovery is to be effected from him. Since the petitioner has already joined the investigation, the instant petition is disposed of. The arrest of the petitioner is stayed and he is ordered to be released on bail to the satisfaction of the Arresting Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

15.01.2021
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No