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

CRM-M No.1663 of 2020

Date of Decision:04.08.2021

SANDEEP POONIA @ SANDEEP KUMAR

....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. A.D.S Sukhija, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.11 dated 18.01.2019 registered under Sections 323 and 506 IPC and 3 of SC/ST Act, at Police Station Sadar, Dabwali, District Sirsa.

At the time of notice of motion, the following order was passed:-

“Learned counsel for the petitioner contends that during the preliminary investigation of the case, the same was found to be false. It was found that land of the petitioner and Tejender Kumar adjoins each other and there is a passage which goes to the land of Tejender Kumar. The passage was being used by Rita also. The land of the petitioner being in a corner shape along with passage, is not sufficient for passing of vehicle because in front of the same, there is a 16 feet land belonging to Tejender Kumar, who does not allow Rita to pass

through, because of this Rita has to use some portion of land of the petitioner to reach her land. Petitioner stopped Rita from using his land and on the other hand, Tejender Kumar also encircled his land by wire fencing. In this regard, Rita has a dispute with the petitioner and Tejender Kumar. In this background, the Police found that there was no such incident happened and FIR was found to be not sustainable. However, later on under the orders of Inspector General and Superintendent of Police, Hisar, the case was sent to another DSP, who ultimately observed that the complainant belongs to SC category and quarrel between the petitioner and complainant attracts culpability of offence under Section 3(2) (VA) of the SC/ST Act.

Notice of motion for 20.03.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 24.01.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer.

However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 16.01.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from DSP Kuldeep Beniwal, admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case.

In the very nature of allegations and statements made by learned counsel for the petitioner, I deem it appropriate to confirm the order dated 16.01.2020. Petitioner shall keep on joining the investigation as and when required to do so and he

shall abide by the conditions as envisaged under Section 438(2)
Cr.P.C.

Petition stands disposed of.

04.08.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No