

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-24748-2021
Decided on : 06.10.2021

Varun Rana @ Guddu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Pavit Mattewal, Advocate
for the petitioner.

Ms. Gagandeep Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

This is the first petition filed under Section 438 Cr.PC. Read with section 482 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.319 dated 04.06.2021 under Sections 323, 376, 506, 511 IPC and Sections 3(1)(w)(i) & 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 registered at Police Station Gharaunda, District Karnal. (Offences under Sections 376, 511 IPC and Section 3(1)(w)(i) of the SC/ST Act, deleted later on).

The case of the petitioner is that he has been falsely implicated in the case in hand, which is evident from the fact that the investigating agency deleted Section 376 IPC read with Section 511 IPC during investigation, as it was found that no such occurrence had in fact taken place.

Learned counsel while drawing the attention of this Court to the allegations levelled in the FIR in question, has further submitted that a bare perusal of FIR reveals that no casteist remarks were uttered by the

petitioner, which in any way would attract the provisions of Section 3(1)(w) (i) of the SC/ST Act. He further submits that even otherwise the occurrence allegedly took place in the fields of the petitioner, which is not and cannot be said to be a public place.

He still further submits that pursuant to order dated 01.07.2021 passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ASI Nirmal Singh states that the petitioner is not required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 01.07.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

06.10.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No