

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

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**CRM-M-40731-2020
Date of Decision : 08.09.2021**

Shishpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present : Mr. Abhishek Sindhvani, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.646 dated 24.10.2020 registered under Sections 147, 149, 452, 323, 427 and 506 of the Indian Penal Code, 1860 and Section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Hisar City, District Hisar.

Learned counsel for the petitioner contends that the petitioner was granted the benefit of interim bail by a Coordinate Bench of this Court on 07.12.2020 and the petitioner has already joined the investigation and the challan has already been submitted by the police.

Order dated 07.12.2020 is as under:-

“Instant petition has been filed under Section 438 Cr. PC for grant of pre-arrest bail in case FIR No.646 dated 24.10.2020 (Annexure P-1) under Section 147, 149, 452, 323, 427, 506 of IPC 1860 and Section 3 of SC/ST (Prevention of Atrocities) Act 1989 (Amendment 2015) registered at Police Station Hisar City District Hisar.

Learned counsel for the petitioner contends that totally false and vague allegations have been levelled in the FIR in question. In fact it is the son of the petitioner, who received injuries at the hands of the complainant

party for which he had to be medically examined as well at Civil Hospital, Hisar on the very same day of the occurrence. He further contends that there is no medicolegal report of the complainant party to support the allegations levelled in the FIR with respect to the injuries having been inflicted on them by the petitioner and his family members. He further contends that the ingredients of Section 3 of SC/ST Act are not even attracted in the case in hand as a perusal of the FIR clearly reveals that no derogatory words much less any castiest words were used against the complainant party by the petitioner.

Notice of motion for 16.02.2021.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.”

Learned State counsel, on instructions from HC Surinder Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and investigation is complete and challan has been filed. Learned State counsel further submits that no further interrogation is required at this stage.

In view of the above, the order dated 07.12.2020 granting interim bail to the petitioner is made absolute.

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

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 08, 2021
Kothiwal

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