

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

**CRM-M No.10538 of 2022
Date of Decision:- 23.05.2022**

Dinesh Kumar and another

....Petitioners

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Mehak Sawhney, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for anticipatory bail to the petitioners in case having FIR No.0209 dated 03.07.2020 registered under Sections 427/34 IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989, Police Station Chandimandir, District Panchkula.

The FIR in the present case was registered on the basis of statement of complainant-Sureinder Singh, in which he alleged that during the rainy season of 2020, the cattle belonging to the petitioner destroyed his crop.

While passing the interim order of bail dated 11.03.2022, the coordinate Bench of this Court observed that no offence under SC/ST Act is made out because for that, the land must be owned by or allotted to or in possession of any member of a SC/ST and such protection is available to concerned member only. In this case, the complainant failed to place on record any such document except Jamabandi, Annexure P-2, as per which, the complainant was not shown to be in possession of the concerned land.

The State counsel on instructions from SI Rajbir Singh submits that the petitioners have joined the investigation in the light of order of interim bail dated 11.03.2022 passed by a coordinate Bench of this Court and that the petitioners are not required by the police for any further investigation or custodial interrogation.

In the light of the above, without commenting on the merits of the case, the present petition is allowed and order granting interim bail dated 11.03.2022 to the petitioners is hereby made absolute subject to the condition envisaged under Section 438(2) Cr.P.C.

Disposed of accordingly, so also the pending miscellaneous application(s) pending, if any.

23.05.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No