

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

**CRA-S-1146-2022 (O&M)
Date of decision: 07.07.2022**

Nachhatar Singh

...Appellant

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. L. S. Sekhon, Advocate
for the appellant.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this appeal is for setting aside the order dated 10.06.2022, passed by the Additional Sessions Judge, Fatehabad, whereby the regular bail application of the appellant has been dismissed in case FIR No. 83 dated 25.04.2022, registered under Sections 323, 506 of the IPC and Section 3 of the SC/ST Act at Police Station Jakhal, District Fatehabad.

Learned counsel for the appellant submits that as per allegation in the FIR, when the complainant was working in his plot, the appellant came and abused him by extending threats to withdraw a case, registered against him.

Learned counsel further submits that in the FIR, it is stated that the appellant belongs Jat Sikh community, whereas he belongs to Kumhar community and it will be a matter of trial whether on a bare perusal of the FIR, any offence under the SC/ST Act is made out or not.

Learned counsel further submits that appellant is in judicial custody since 19.05.2022; he is 65 years of age and is no more required for

any further custodial investigation.

Learned State counsel could not dispute the aforesaid facts but opposed the bail.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances, the instant appeal is allowed. The impugned order is set aside and the appellant is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

07.07.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No