

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32963-2021
Date of decision: 17.02.2022

Ranbir
...Petitioner
Versus
State of Haryana
...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Ravinder Malik, Advocate
for the complainant.

(Through Video Conferencing)

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
244	13.07.2021	Bawani Khera, District Bhiwani	323, 34 and 506 IPC and Section 3(2)(v) of the SC & ST (Prevention of Atrocities) Act, 1989

The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC seeking anticipatory bail.

Learned counsel appearing for the State has opposed the bail on the ground that the scope of anticipatory bail for the offences captioned above is very limited in view of judgment of the Apex Court in the case of Prithvi Raj Vs. Union of India AIR 2020 SC 1036. He further submits that in the present case, there is casteist slur in the FIR and as such, this is not a case which will fall under the purview of verdict in Prithvi Raj's case (*supra*). Learned counsel for the complainant also endorses the stand taken by the State counsel and submits that the present petition is not maintainable.

Given above, learned counsel for the petitioner submits that in view of legal proposition, the petitioner be given protection till he takes recourse to appropriate legal remedies available to him under the law.

Prayer is innocuous and as such, cannot be opposed.

Consequently, the petition is dismissed, as not maintainable. However, in view of the peculiar facts and circumstances of the case, there shall be stay of arrest of the petitioner for two weeks, to enable him to take appropriate steps for his protection under the law. It is clarified that filing of the present petition shall not come in the way of the petitioner if he takes recourse to appropriate legal remedies.

(ANOOP CHITKARA)
JUDGE

February 17, 2022
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.