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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38173-2021 (O&M)
Date of Decision: 25.01.2022

Bajinder Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanjiv Kumar Yadav, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.0526 dated 24.08.2021, registered under Sections 3(r) and 3(s) Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 Amended, 2015 at Police Station Shahabad, District Kurukshetra. The petitioner apprehends his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.09.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the complainant was scuffling and arguing with his accomplice outside the house of the petitioner and the said incident has been captured in the CCTV footage. According to him, the petitioner has been falsely implicated and in the given facts custodial interrogation of the petitioner may not be necessary.

Notice of motion for 24.01.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for

and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer.”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Balbir Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.09.2021 is made absolute.

25.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No