

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-50596-2021 (O & M)
Date of Decision: January 07, 2022

SANDEEP

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.S.S.Mor, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Ramender Chauhan, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 466 dated 28.09.2020, under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 302 IPC was added subsequently), Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('SC&ST Act' - for short), registered at Police Station Tosham, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 06 co-accused have been specifically named. It is alleged that the brother of the complainant was beaten up with 'lathies' and 'dandas'. He also contends that there is no allegation with regard to *prima facie* case against the petitioner under Section 3(2)(va) of the SC&ST Act. Co-accused Monu has been granted regular bail by a Coordinate Bench of this Court by order dated 12.10.2021 passed in CRM-M No. 29906 of 2021. The petitioner is 18 years of age.

This Court, by the order dated 03.12.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from DSP Arvind Dahiya, states that the petitioner has joined investigation.

Learned counsel for the complainant states that in view of the serious allegation against the petitioner, he is not entitled to the concession of anticipatory bail.

In view of the above and the petitioner having joined investigation, the order dated 03.12.2021 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. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

January 07, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No