

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

**CRM-M-51096-2021
DECIDED ON: 19.12.2022**

ARWIND @ HARSH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ankur Sidhar, Advocate for
Mr. Rajesh Khandelwal, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Vikas Bishnoi, Advocate
for the complainant.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.443, dated 30.10.2021, under Sections 324, 34, 506 of the IPC, 1860 and Section 3 of the SC & ST Act, 1989 (Section 307 IPC was added subsequently), registered at Police Station Agroha, District Hisar.

Learned counsel for the complainant contends that for offence under Section 3 of the SC/ST Act, the present petition would not be maintainable as under the said Act, the specific remedy of appeal lies. He further points out that he has challenged the order dated 09.12.2021 before the Hon'ble Supreme Court vide SLP No.782/2022, wherein notice has been issued.

However, learned counsel for the petitioner submits that in pursuance to the order dated 14.09.2022, the petitioner has joined the investigation.

Learned State counsel does not controvert the said fact. However, he, on instructions from ASI Rawat Singh, submits that further custodial interrogation of the petitioner is not required and the recovery of knife has also been effected from the petitioner .

In view of the above, the order dated 14.09.2022 is made absolute.

Accordingly, the present petition is disposed of.

(SANDEEP MOUDGIL)
JUDGE

19.12.2022

Poonam Negi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>