

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

**CRM-M No.51767 of 2021
Date of Decision :18.04.2022**

Vishal

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Ms. Neha Rana, Advocate for the petitioner.

**Mr. Rajiv Sidhu, DAG, Haryana assisted by
ASI Anil Kumar.**

ARUN PALLI, J. (Oral):

Vide this petition under Section 438 of Cr.P.C. the petitioner prays for anticipatory bail in FIR No.313 dated 24.05.2021, under Sections 147, 148, 452, 323, 506 of IPC and 3(1)(r)(s) of SC/ST Act, registered at Police Station Hansi, District Hisar.

Upon hearing the learned counsel for the petitioner on 13.12.2021, this Court had enlarged the petitioner on interim bail:-

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.313 dated 24.5.2021 at Police Station City Hansi, District Hisar under Sections 147, 148, 452, 323, 506 of Indian Penal Code and Section 3(1)(r)(s) of SC/ST Act at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner submits that apart from the allegations pertaining to a simple injury and a cooked up allegation in respect of offence under Section 452 IPC, the police has later on added offence under Section 3(1)(r)(s) of SC/ST Act, whereas the same would not be attracted inasmuch the petitioner himself belongs to Scheduled Caste. Learned counsel, in order to hammer forth his aforesaid submission, has drawn the attention of this Court to the order passed by Trial Court in the case of co-accused Rajesh

@ Ranjha, who is real brother of the petitioner, while deciding his regular bail application, wherein the following position as regards the caste of real brother of the petitioner had been noticed while granting bail to him:

“..... Status report filed by the police reveals that the petitioner Rajesh @ Ranjha belongs to Scheduled Caste and therefore, as per the status report, no offence under section 3 of SC/ST is made out against petitioner Rajesh @ Ranjha.....”

Notice of motion for 18.4.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned State counsel submits that pursuant to the order dated 13.12.2021 (ibid) the petitioner had joined the investigation and is no longer required for any custodial interrogation.

In the wake of the above, the order dated 13.12.2021, is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. and shall join the investigation as and when called upon to do so.

The petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

18.04.2022
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No