

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

312

CRA-S-730-2023 (O&M)

Date of Decision : 18.12.2023

AMANDEEP

.... Appellant

VERSUS

STATE OF HARYANA & ANR.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Partap Singh, Advocate
Mr. Vikas, Advocate
Mr. Parth Singh, Advocate and
Mr. Shikar Kataria, Advocate for the appellant.

Ms. Priyanka Sadar, AAG Haryana for respondent No.1.

Mr. Virender Soni, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. This is an appeal for grant of anticipatory bail to the appellant in FIR No.33 dated 11.02.2023 under Sections 376(2)(n), 506 and Section 313 (added later on) of the Indian Penal Code, 1860 and Section 3(2)(v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities), Act, 1989 (added later on) registered at Police Station Women Police Station Rohtak, District Rohtak.

2. On 29.03.2023 the following order was passed :

“Learned counsel for the appellant submits that a perusal of the FIR does not disclose any offence under the SC/ST Act and the learned Court below has ousted his prayer for concession of anticipatory bail by imposing Section 18 of the SC/ST Act which was not at

all attracted.

Notice of motion

Mr. S.S. Pannu, DAG, Haryana, accepts notice on behalf of respondent-State.

In the meanwhile, the appellant shall join investigation on 10.04.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the appellant be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the appellant shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Adjourned to 09.08.2023.”

3. Learned counsel for the appellant would contend that pursuant to the said order, the appellant has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Rekha, has stated that the appellant has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 29.03.2023 is made absolute. The appellant shall, however, join investigation as and when called. The appellant shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

18.12.2023
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
 Whether reportable: YES/NO