

CRA-S-980-2023

.2023:PHHC:089313

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

245

CRA-S-980-2023

Date of Decision :-17.07.2023

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...Appellant

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajinder Singh Rana, Advocate for the appellant.

Mr. Surender Singh, AAG, Haryana.

Mr. Vikram Singh, Advocate for respondent No.2.

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Harsimran Singh Sethi, J. (Oral)

Present appeal has been filed by appellant under Section 14A (2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 being aggrieved by order dated 29.3.2023 whereby the application moved by the appellant under Section 438 of Cr.P.C. for grant of anticipatory bail in criminal case having FIR No.655 dated 23.11.2022 registered under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act at Police Station Israna, Panipat, has been dismissed.

Learned counsel for the appellant submits that the appellant has joined investigation in terms of order passed by the Coordinate Bench of this Court on 05.04.2023. Order dated 05.04.2023 is as under:-

“The appellant has filed an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the 1989 Act’) however, in substance the

petitioner prays for grant of the anticipatory bail.

As per the case of the prosecution, the first information was working as an employee of M/s S.K. Power Group Sector 7, HUDA, Panipat and she complains discrimination in the payment of salary and also harassment and insult at the hands of the petitioner.

The learned counsel representing the petitioner contends that no offence under the 1989 Act is made out against the petitioner.

Notice of motion.

Mr. Ashok Singh Chaudhary, Addl. A.G. Haryana accepts notice on behalf of the State.

In the meantime, the petitioner is released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Adjourned to 15.05.2023.”

Learned State counsel on instructions from DSP, Krishan Kumar states that in terms of the order of the Coordinate Bench of this Court reproduced before, the appellant has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 05.04.2023 granting interim bail to the appellant is made absolute.

However, the appellant 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.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that appellant is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The appeal stands allowed in above terms.

July 17, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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