

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

235

2023:PHHC:088396

CRA-S No.1185 of 2023

Date of decision: July 14th, 2023

Krishan

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajay Kripal Singh, Advocate
for the petitioner.

Mr. Aashish Bishnoi, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The appellant is impugning the order dated 18.04.2023 passed by learned Additional Sessions Judge, Jind vide which his prayer for grant of anticipatory bail in case FIR No.96 dated 07.04.2023 under Sections 147, 149, 323, 341 and 506 of the IPC and Sections 3(2)(va) and 3(2)(vi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST Act') registered at Police Station Civil Lines, Jind, was declined.

Vide order dated 21.04.2023, the appellant had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the appellant submits that there was a history of animosity between the parties as just two days prior to the registration of the FIR in question, the appellant had reported against the family of the complainant for running an unauthorized mutton shop in a public place. In

support, learned counsel has drawn the attention of this Court to Annexure A-2 which is a complaint dated 05.04.2023 given to SHO Police Station Civil Lines, Jind. He further submits that even otherwise on a perusal of the FIR in question, the petitioner has not been attributed any specific role and the injuries allegedly inflicted by all the accused including the petitioner on the complainant were declared to be simple in nature.”

Learned counsel for the appellant submits that in compliance of order dated 21.04.2023, the appellant has joined investigation and cooperated with the investigating agency.

Learned State counsel submits that the appellant has joined investigation and is not required for custodial interrogation. It has also not been disputed that the injuries allegedly attributed to the appellant were simple in nature.

In view of the above, the appeal is allowed and impugned order dated 18.04.2023 passed by learned Additional Sessions Judge, Jind, is hereby set aside. Interim order dated 21.04.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the appellant misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

July 14th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No