

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

CRA-S No.1420 of 2023

Date of decision: 14th September, 2023

Sunil

... Appellant

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mandeep Nehra, Advocate for the appellant.

Mr. Karan Jindal, Asst. Advocate General, Haryana
for the respondent/State.

Mr. Deepak K. Bartia, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is impugning the order dated 04.05.2023 passed by the Special Court, Yamuna Nagar vide which his application for grant of anticipatory bail in case FIR No.54 dated 04.03.2023 under Sections 148, 149, 323, 325, 506 IPC and sections 3(1)(r), 3(1)(s) and 3(1)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Radaur, Yamuna Nagar was dismissed.

2. On 11.05.2023, while noticing the following submissions made by learned counsel for the appellant, this Court had granted the concession of interim bail to the appellant and asked him to join investigation.

*“While drawing the attention of this Court to the FIR
in question, learned counsel for the appellant submits that a*

perusal of the same clearly reveals that neither was he named in the FIR in question nor the alleged casteist utterances were attributed to him. Learned counsel further submits that he was nominated as an accused pursuant to a disclosure statement made by co-accused and even therein it had just been stated that the appellant was present along with the other co-accused when the occurrence in question took place.”

3. Learned counsel for the appellant submits that in compliance of the order dated 11.05.2023, the appellant has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of the appellant having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the appellant is not required for further investigation much less for his custodial interrogation.
5. In the circumstances, the appeal is allowed and the interim order dated 11.05.2023 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.

(MANJARI NEHRU KAUL)
JUDGE

September 14, 2023
rps

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