

CRA-S-1721-2023
Date of decision: 23.08.2023

...PETITIONER

STATE OF HARYANA

...RESPONDENT

Present: Ms. Poonam, Advocate for
Mr. Gautam Kaile, Advocate for the petitioner.

VIVEK PURI,J. (ORAL)

1. On 19.06.2023, the following order was passed by the Co-ordinate Bench of this Court:-

“The instant appeal has been filed against the order dated 05.06.2023 by learned Additional Sessions Judge, Panipat in FIR No.178 registered under Sections 3(2) (VA) of SC and ST Act, 1989 (Sections 509 and 452 added later on) of IPC, whereby the bail application bearing No.BA-171-452 filed under Section 438 Cr.P.C for grant of anticipatory bail has been dismissed.

Status report by way of affidavit dated 16.06.2023 of Suresh Kumar, HPS, Deputy Superintendent of Police, Traffic, Panipat has been filed on behalf of respondent-State in the Court today. The same is taken on record. Copy supplied counsel opposite.

Learned counsel for the petitioner inter alia contends that since admittedly the conversation qua which the allegations have been levelled was a private conversation and that too on mobile. No offence has been contemplated under Section 3(2) (VA) of SC and ST Act, 1989.

Adjourned to 23.08.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

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2. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.
3. On instructions from ASI Anoop Singh, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the aforesaid submissions, the order dated 19.06.2023, granting interim bail to the petitioner is made absolute.
5. The appeal is accordingly allowed.

23.08.2023
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(VIVEK PURI)
JUDGE

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