

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 224

CRA-S-1847-2023

Date of Decision-15.11.2023

AMAN @ MEENU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. Pawan Hooda, Advocate for the appellant.

Mr. Gurmeet Singh, AAG, Haryana.

Ms. Vibha Nagar, Advocate and
Mr. Deepak Singh Saini, Advocate for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. On 19.07.2023, the following order was passed:-

CRM-29024-2023

For the reasons stated in application, same is allowed subject to all just exceptions. Document (Annexure P-7) is taken on record.

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Post it on 29.08.2023.

In the meanwhile, the appellant shall join the investigation as and when required by the investigating agency and subject to his reporting to the investigating officer within two weeks from today, no coercive steps qua arrest of appellant shall be taken. In case, his arrest is required to be caused, the appellant shall be released on bail by the Arresting Officer till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. Petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

2. Learned counsel for the appellant *inter alia* contends that no offence under the SC ST Act is made out and even the allegations with regard to offence under Section 3 of SC ST Act were made after the delay of 18 days of the occurrence and the appellant has already joined the investigation.

3. Learned State counsel has reaffirmed the fact that the appellant has joined the investigation. However, he seeks dismissal of the appeal on the ground that there is an apprehension that the appellant would attempt to intimidate and pressurize the witnesses in the present case.

4. In view of the above, keeping in view the abovesaid facts and circumstances, the present appeal is allowed and the interim protection granted to the appellant vide order dated 19.07.2023 is made absolute, subject to conditions provided under Section 438(2) of Cr.P.C.

5. If the appellant is found extending any threat to any of the witnesses in the present case, the State would be of liberty to move an application for cancellation of bail granted by this order.

6. Nothing expressed herein above would be construed to be an opinion on the merits of the case and the trial Court shall proceed in accordance with law without being prejudiced by the observation of this Court in the present appeal.

(HARPREET SINGH BRAR)
JUDGE

15.11.2023

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