



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRA-S-329-2024 (O&M)
Date of decision: May 27, 2024

AKSHAY KUMAR AND ANOTHER
...Appellants

Versus

STATE OF HARYANA AND ANOTHER
...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Suresh Verma, Advocate
for the appellants.

Ms. Deepshikha Chauhan, Assistant Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The instant appeal has been filed by the appellants impugning the order dated 03.01.2024 passed by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri, vide which their petition under Section 438 Cr.P.C. for grant of anticipatory bail in complaint under Sections 323, 506, 34 of the Indian Penal Code, 1860 and Section 3 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, has been dismissed.

After issuing notice of motion on 25.01.2024, vide order dated 04.03.2024, the appellants had been directed to appear before the trial Court and was directed to be admitted on interim bail on his furnishing bail bonds to the satisfaction of the trial Court. The relevant part of the order dated 25.01.2024 reads as under:-

“Learned counsel inter alia contends that false implication of the appellants in the occurrence in question finds due credence from the report of the SHO, Police Station Gandhi Nagar, wherein during enquiry it was found that no casteist utterances were made by the petitioner against the complainant.”



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Learned counsel for the appellants submits that in compliance of order dated 04.03.2024, the appellants had appeared before the learned trial Court and furnished bail bonds. In support, he has placed on record a copy of order dated 11.03.2024 passed by learned Judicial Magistrate Ist Class, Jagadhri.

Learned State counsel, on instructions, does not dispute the factum of the appellants having appeared before the trial Court.

In view of the above, the instant appeal is allowed, and interim order dated 04.03.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

May 27, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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