



CRA-S-709-2024 (O&M)

-1-

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

CRA-S-709-2024 (O&M)

Decided on : 03.12.2024

Subhash Chander

..... Appellant

Versus

State of Haryana & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

Manjari Nehru Kaul, J.

The present appeal has been filed under Section 14-A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 being aggrieved against the order dated 07.02.2024 passed by Addl. Sessions Judge-cum-Special Judge, Fatehabad in case FIR No.665 dated 12.12.2023 under Sections 323 and 506 IPC and 3 of SC/ST Act registered at Police Station Sadar Fatehabad District Fatehabad.

2. On 22.02.2024, this Court had noticed the following submissions made by the learned counsel for the appellant:

“While drawing the attention of this Court to the allegations leveled in the FIR, which has been annexed as Annexure P-1, learned counsel submits that false and fabricated case has been foisted upon the appellant, and



even if for the sake of arguments, it is assumed, though not conceded, that the appellant did indulge in some casteist utterances against the complainant, it is certainly not the case of the complainant that such utterances were made within public gaze, as the FIR was admittedly completely silent qua the presence of any other person at the place of occurrence at the relevant time. It has also been submitted that the injury attributed to the appellant was a simple injury.”

3. On 04.09.2024, while noticing the following observation, this Court had granted the concession of interim bail to the appellant and asked him to join investigation:

“As per office report, notice issued to respondent No.2 has been received back duly served through his son. However, despite the case being repeatedly adjourned, none has entered appearance on behalf of respondent No.2.”

4. Learned counsel for the appellant submits that in compliance of order dated 04.09.2024, appellant has joined the investigation and cooperated with the investigating officer.

5. Learned State counsel, on instructions, has not disputed the submission made by learned counsel for the appellant. Learned State counsel has further submitted that the appellant is not required for custodial interrogation.

6. In view of the above, present appeal is allowed and interim



CRA-S-709-2024 (O&M)

-3-

order dated 04.09.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC/482(2) of BNSS.

03.12.2024
sonia

(MANJARI NEHRU KAUL)
JUDGE

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