



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

CRA-S No.1276 of 2024

Date of decision: 14th October, 2024

Pardeep Maan

... Appellant

Versus

State of Haryana & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nikhil Vats & Mr. Ashish Khatkar,
Advocates for the appellant.

Mr. Gagandeep S. Chhina, Asst. Advocate General, Haryana
for the respondent/State.

Mr. Deepak Aggarwal, Advocate for respondents No.2 & 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant has challenged the order dated 05.03.2024 passed by the Court of learned Additional Sessions Judge, Panipat vide which the application of the appellant under Section 438 Cr.P.C. in case FIR No.828 dated 18.12.2023 under Sections 323, 427, 452, 506, 34 of the IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Chandani Bagh, District Panipat was dismissed.

2. On the last date of hearing, i.e. 15.07.2024, this Court had granted the concession of interim bail to the appellant and asked him to join investigation in light of following submissions made by learned counsel for the appellant on 02.04.2024:

“Learned counsel for the appellant, inter alia, contends that there is an unexplained and abnormal delay of 26 days in reporting the alleged occurrence to the police, which clearly shows that a fabricated version has been brought forth against the appellant by the complainant. While drawing the attention of this Court to the allegations levelled in the FIR annexed as Annexure A-1, it has been further submitted that a perusal of the same leaves no manner of doubt that totally vague allegations have been levelled against the appellant of having indulged in casteist remarks; rather, assuming for the sake of arguments that the appellant was indeed accompanying co-accused Vinod, he has not been attributed any specific role in the occurrence in question.”

3. Learned counsel for the appellant submits that in compliance of the order dated 15.07.2024, the appellant has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Vinod Kumar, 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. However, learned counsel for the private respondents has drawn the attention of this Court to the allegations levelled in the FIR in question and has submitted that in view of the seriousness of allegations levelled, the appellant does not deserve the concession of anticipatory bail.

6. In view of the instructions received by learned State counsel, since the appellant has joined investigation and cooperated with the Investigating Agency, the appeal is allowed and the interim order dated 15.07.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. 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

October 14, 2024
rps

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