



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

245

CRA-S-1395-2024 (O&M)

Date of Decision: 16.05.2024

JASPAL

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Namit Khurana, Advocate and
Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

Present appeal has been filed under Section 14-A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 16.03.2024 passed by learned Additional Sessions Judge, Special Court for SC & ST, Kurukshetra whereby an application for anticipatory bail moved by the appellant in case FIR No.277 dated 24.12.2023 under Sections 148, 149, 323, 324, 506 of IPC and Section 3(1) (R), 3(1)(S) and 3 (2) VA of the ST/ST Act, registered at Police Station Babain, Kurukshetra was dismissed.

Learned counsel has drawn attention towards the contents of the FIR in order to contend that there is no attribution to the petitioner so as to attract the provisions of SC/ST Act as all these attributions are to co-accused Mohit. Learned counsel further points out that only attribution against the petitioner is that by driving his car, he had tried to run over the father of the complainant. Learned counsel contends further that the petitioner allegedly



drove the car, but no one was injured. Learned counsel also contends that the petitioner is ready to join the investigation.

Status report has already been filed.

The only contention raised by learned State counsel is that all the accused including the petitioner were present. However, it is not disputed that attribution qua abusing in the name of caste are to co-accused Mohit and not to the petitioner.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is directed to be released on bail in the event of his arrest to the satisfaction of arresting officer, subject to his joining the investigation and co-operate in the same. He shall also abide by all conditions contained in Section 438(2) Cr.PC. In case of non-cooperation on the part of the petitioner, respondent/State will be at liberty to approach this Court for cancellation of the anticipatory bail.

16.05.2024
pry

(DEEPAK GUPTA)
JUDGE

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