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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRA-S-2225-2024 (O&M)
Date of decision: 22.08.2024

Sachin Dhaka and another

... Appellants

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nikhil Vats, Advocate
for the appellants.

Ms. Geeta Sharma, DAG, Haryana.

Mr. Amit Choudhary, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. Present appeal has been preferred against the order dated 27.05.2024 passed by learned Additional Sessions Judge, Fatehabad, vide which anticipatory bail application filed by the appellants has been dismissed.

2. On 05.06.2024, the following order was passed:-

“Cites Prathvi Raj Chauhan vs Union of India and others (2020) 4 SCC 727 to contend that on being satisfied, this Court



can grant pre-arrest bail in a case registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, the SC & ST Act).

Learned counsel for the appellants further submits that a reading of the FIR in question reveals no allegation against either of the appellants; the FIR in question has been lodged only on account of a quarrel between the complainant's husband and one Kalu Ram who is distantly related to the appellants; the appellants do not have any other criminal antecedents; the allegations in the FIR are absolutely vague and that the appellants are also ready and willing to join and cooperate with the investigation.

Notice of motion for 22.08.2024.

Mr.Naveen S. Bhardwaj, Addl. A.G., Haryana, accepts notice on behalf of respondent No.1 and prays for time to argue the matter.

Respondent No.2 be served through ordinary process.

In the meanwhile, subject to the appellants' joining and cooperating with the investigation, in the event of their arrest in FIR No.96 dated 16.03.2024 registered under Sections 147, 149, 354-B, 452, 506 IPC and Section 3 of the SC & ST Act at Police Station Sadar, Fatehabad, they shall be released on ad interim pre-arrest bail to the satisfaction of the Arresting Officer.

Before the adjourned date, the State shall also file a status report after consideration of which further orders in the main appeal shall be passed."

3. Learned State counsel, on instructions from Inspector Prahlad Rai, at the very outset, informs the Court that the appellants have joined the



investigation and their custodial interrogation is not required.

4. In view of the above, present appeal is allowed and the impugned order dated 27.05.2024 passed by learned Additional Sessions Judge, Fatehabad, dismissing the anticipatory bail application of the appellants, is set aside and the order dated 05.06.2024 passed by this Court, granting interim anticipatory bail to them, is hereby made absolute. The appellants will abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

[HARPREET SINGH BRAR]
JUDGE

22.08.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No