

**CRA-S-2334 of 2024****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****229A****CRA-S-2334 of 2024****DATE OF DECISION :- 30.07.2024****Amandeep Singh****...Appellant****Versus****State of Haryana and another****...Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:-** Mr. Amit Gupta, Advocate for the appellant.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Pardeep Sihmar, Advocate for respondent No. 2.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the appellant in FIR No.40 dated 28.02.2024, registered for the offences punishable under Sections 148,149,323,325,354,354-A,365,379-B,341,342,120-B,427,506 IPC and Sections 3(1)(r),3(1)(s),3(2)(v),3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station City Siwan, District Kaithal.

2. On 04.07.2024, the following order was passed:-

“The present appeal has been preferred under Section 14-A(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 read with Section 439 of Cr.P.C against the order dated 31.05.2024 passed by learned Additional Sessions Judge, Special Court, Kaithal.

Inter alia contends that the appellant has been falsely implicated into the FIR in question on account of political rivalry; the appellant is a Sarpanch of the village Seinh, District Kaithal,



Haryana and the complainant is also resident of the same village and the said village is a small village, therefore, it cannot be said at any stretch of imagination that the complainant did not recognize and knew the appellant and hence there was no cause in favour of the complainant not to name the appellant in the FIR in question; the allegations of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are not made out against the appellant as the appellant himself is a Scheduled Caste category person & the appellant is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana appears and accepts notice on behalf of the respondent-State.

Mr. Pardeep Sihmar, Advocate has filed vakalatnama for respondent No. 2. The same be taken on record.

Adjourned to 25.07.2024.

The appellant is directed to appear before the Investigating Officer on 08.07.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the appellant shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the appellant shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

3. Learned State counsel, on instructions from Inspector Naresh Kumar, has stated that pursuant to the order dated 04.07.2024, the appellant has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has vociferously opposed the grant of regular bail to the appellant by arguing that the allegations made against the appellant are serious in nature and complete recovery of the



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snatched amount has not been made hence he does not deserve to be enlarged on bail.

5. In view of above, the present petition stands allowed and the interim order dated 04.07.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. This order should not be treated as “blanket” order. It will not be read granting appellant indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the appellant violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

30.07.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No