

2024:PHHC:116319



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

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**CRA S-2935 of 2024 (O&M)
Date of Decision: 05.09.2024**

Kishore ...Appellant
Versus
State of Haryana and another ... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. B.S. Tewatia, Advocate, for the appellant.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The appellant has filed the present appeal against the impugned order dated 01.08.2024 passed by the Court of Additional District and Sessions Judge, Palwal, whereby, the regular bail application filed by the appellant has been ordered to be dismissed.
2. Learned counsel for the appellant submits that in the present case, ingredients of the offence under Section 3(v) of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 are not made out against the appellant. In fact, the alleged occurrence had taken place on 18.01.2024 and after due deliberations for three days, the FIR was got registered by complainant on 21.01.2024. He further contends that the appellant and complainant are neighbourers and the appellant has been involved with some

ulterior motive. Learned counsel further contends that in the alleged occurrence, both the sides had suffered injuries, however, the police has falsely involved the appellant's side only in the present case. The appellant was arrested in the present case on 24.07.2024 and the investigation is almost complete.

3. Mr. Rajinder Kumar Banku, DAG, Haryana, on instructions of SHO Sanjeev Kumar, Police Station Hasanpur, submits that during the course of investigation, the appellant has been found to be innocent.

4. I have heard learned counsel for the parties and perused the record.

5. The appellant is in custody for the last more than 01 month. Moreover, the investigation in the present case is almost complete and the involvement of the appellant was not found. Thus, no purpose will be served by keeping the appellant behind the bars.

6. In view of the above, without commenting any further on the merits, the present appeal is allowed and the appellant is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

05.09.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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

