



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

CRA-S-3421-2023

Date of Decision : 28.08.2024

Surender Singh

...Appellant

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Naresh Kumar Ganga, Advocate for the appellant.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is impugning the order dated 04.11.2023 passed by learned Additional Sessions Judge, Fatehabad whereby his application for grant of anticipatory bail in case FIR No.174 dated 14.06.2023 under Sections 147, 149, 323, 365, 379B, 452, 506, 427 of the IPC and Section 3(2)(v) of the SC/ST Act registered at Police Station City, Ratia, was dismissed.

2. On 30.11.2023, while noticing the following submissions made by the learned counsel for the appellant, this Court had issued notice of motion:-

“Learned counsel while drawing the attention of this Court to the allegations levelled in the FIR, inter alia submits that totally false allegations have been levelled therein and even assuming for the sake of arguments, though not conceded, that any casteist remarks had indeed been made by the appellant it was the case of



the complainant himself that the said remarks had been made inside the shop of the complainant which cannot be deemed to be within public view. It has also been submitted that the injuries allegedly inflicted upon the complainant were found to be simple in nature.”

Thereafter, on 03.04.2024, the petitioner was granted the concession of interim bail and asked to join investigation

3. Learned counsel for the appellant submits that in compliance of order dated 03.04.2024, the appellant has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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. In view of the above, the appeal is allowed and interim order dated 03.04.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of the BNSS, 2023.

August 28, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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