



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

244

CRA-S-3470-2023

Date of decision: May 6th, 2024

Shakti and others

.....Appellants

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Prabhjeet Singh Sullar, Advocate
for the appellants.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The appellants are impugning the order dated 03.11.2023 passed by learned Additional Sessions Judge, Sirsa, whereby their applications under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.328 dated 20.07.2023 under Sections 147, 148, 149, 323, 341, 452, 506 of the Indian Penal Code, 1860 and Sections 3(1)(c), 3(2) (va) of the SC/ST Act registered at Police Station Sirsa Sadar, District Sirsa, has been dismissed.

2. As per office report, notice issued to respondent No.2 has been received back served through his brother, however, none has entered appearance on behalf of respondent No.2-complainant.

3. Vide order dated 23.11.2023, while issuing notice of motion, following submissions of learned counsel for the appellants were recorded:-

“Learned counsel for the appellants, inter alia,

submits that it is case of version and cross-version, wherein both the parties received injuries at the hands of each other. He submits that intentionally the complainant party had levelled allegations against the appellants of having indulged in casteist utterances, so as to invite the mischief of offence under Sections 3(1)(c)/3(2)(va) of the SC/ST Act.”

4. Thereafter, vide order dated 14.02.2024, the appellants had been granted interim anticipatory bail with direction to join investigation.

5. Learned counsel for the appellants submits that in compliance of order dated 14.02.2024, the appellants have joined investigation and cooperated with the investigating agency. Hence, order dated 14.02.2024 be made absolute.

6. Learned State counsel, on instructions from S.I. Jagdish, does not dispute the factum of the appellants having joined investigation and cooperated with the investigating agency. He on further instructions submits that the appellants are not required for further investigation much less for their custodial interrogation.

7. In view of the above, the appeal is allowed and interim order dated 14.02.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

May 6th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No