

Karan Thakur Vs State Of Himachal Pradesh

Court: High Court Of Himachal Pradesh

Date of Decision: Aug. 28, 2020

Acts Referred: Code Of Criminal Procedure, 1973 " Section 439
Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 " Section 3(1)(S)
Indian Penal Code, 1860 " Section 341, 506

Hon'ble Judges: Jyotsna Rewal Dua, J

Bench: Single Bench

Advocate: Jyotirmay Bhatt, Anil Jaswal, Manoj Bagga

Final Decision: Disposed Of

Judgement

Jyotsna Rewal Dua, J

1. The petitioner has sought regular bail under Section 439 of the Code of Criminal Procedure in FIR No. 280/2020 dated 15.8.2020, under Sections

3(1)(S) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Sections 341 and 506 of Indian Penal Code, registered

at Police Station, Balh, District Mandi, H.P. The interim protection was granted to the petitioner on 19.8.2020.

2. As per the status report filed by the respondent-State the FIR in question was registered on the basis of a complaint lodged on 15.8.2020 by one

Smt. Ganpatu Devi to the effect that she along with her son was going to Bhangrotu on 15.8.2020 at 6:45 P.M. on a motor cycle for purchasing some

medicines. The vehicle ahead to them was being driven by the petitioner. Its driver (the petitioner) was not giving pass to them for moving ahead,

rather he stopped his vehicle, intimidated and threatened the complainant and her son as well as used objectionable words against them. This led to

registration of the FIR in question.

3. As per the status report, the petitioner has joined the investigation pursuant to the interim protection granted to him vide order dated 19.8.2020 and is

co-operating with the Investigating Agency.

4. Learned Additional Advocate General has fairly submitted that the investigation is going on, however, the custodial interrogation of the petitioner in

the facts and circumstances of the case is not required. Status report also does not indicate any previous criminal antecedents of the petitioner. In

view of these aspects, interim protection granted to the petitioner vide order dated 19.8.2020 is confirmed on the same terms and conditions.

It is made clear that in case the petitioner violates the terms and conditions of the grant of bail, then it shall be open for the Investigating Agency to

take recourse in accordance with law for getting the bail cancelled. It is made clear that observations made above are only for the purpose of

adjudication of instant bail petition and shall not be construed as an opinion on the merits of the matter.

With the aforesaid observations, the present petition stands disposed of, so also the pending miscellaneous applications, if any.

Copy of this judgment duly authenticated by the Secretary be supplied to learned counsel for the parties, if so requested.