

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

CRM No.M-6172 of 2015

Date of decision:26.05.2015

Narinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Amrik Singh, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

Mr. Sarfraj Hussain, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No.23 dated 19.02.2015, under Sections 323/341/34 IPC and Sections 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Anandpur Sahib, District Rupnagar.

On 23.04.2015, while issuing notice of motion, the following order was passed by this Court:

“Learned State counsel upon instructions from ASI Balbir Singh submits that an inquiry was got conducted in the matter and it has been found that the allegations raised by complainant Jaspal Singh against the present petitioner namely Narinder Singh have been found to be false. Even a copy of the preliminary inquiry report which is in vernacular has been shown to this Court. The same has been perused. Counsel submits that on the basis of such inquiry report, a

cancellation report would be filed in due course.

Under such circumstances, hearing in the present petition is deferred to 26.5.2015.

In the meantime, petitioner is directed to join investigation and to appear before the I.O on 30.4.2015.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Balbir Singh would apprise the Court that the petitioner has since joined investigation and still further, in pursuance to investigation having been conducted, cancellation report has been prepared and which is pending for approval with the higher authorities.

Under such circumstances, custodial interrogation of the petitioner could not be warranted.

Accordingly, petition is allowed. Order dated 23.04.2015 passed by this Court is made absolute.

Disposed of.

26.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**