

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

CRM No.M-28565 of 2017 (O&M)
Date of Decision: September 18, 2017

Gurjap Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Naveen Batra, Advocate
for the petitioner.

Mr.Gaurav Garg Dhuriwala, Sr.DAG, Punjab
for the respondent-State.

Mr.J.B.S.Gill, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0085 dated 11.07.2017 under Section 337 IPC and Section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Bullowal, District Hoshiarpur.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

At the time of arguments, learned counsel for the petitioner argued that FIR No.48 dated 20.05.2015 was got registered against the

The present complainant, in counter blast, filed an application dated 19.05.2015 showing the occurrence as of 16.05.2015 and an FIR was registered on 11.07.2017. Learned counsel for the petitioner also submitted that an enquiry was held in the meantime, where the occurrence of this FIR was found false.

On the other hand, learned counsel for the complainant argued that the enquiry was conducted for some other occurrence.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

The petitioner has already joined the investigation. He is not required for custodial interrogation. The trial of the case will take long time. It is still debatable whether any offence under the Scheduled Castes and Scheduled Tribes is made out or not. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 04.08.2017 granting interim bail to the petitioner, is made absolute.

September 18, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No