

CRM-M-20462-2018

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

CRM-M-20462-2018

Date of Decision: 13.07.2018

Joban Singh @ Jobanpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.B.S.Goraya, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Joban Singh @ Jobanpreet Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.64 dated 03.04.2018, registered at Police Station Chheharta, District Amritsar, under Sections 295-A, 506, 427 and 34 of IPC and Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Notice of motion has been issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that FIR, in the present case, has been

got registered by complainant-Paramjit Singh.

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Perusal of FIR shows that neither caste of the petitioner nor of accused has been mentioned therein. Otherwise also, whatever altercation or occurrence has occurred, that has been place in the house, not at a public place.

In pursuance of the interim order dated 14.05.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 14.05.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

Nothing stated above will constitute my opinion on the merits of the case.

13.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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