

Sr. No.206

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

CRM No. M-39138 of 2017 (O&M)

Date of Decision: 04.04.2018

Sheetal Singh @ Sital Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Sandeep Kumar, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition preferred under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in DDR No. 25 dated 27.11.2016, under Sections 323, 324, 354, 379, 148, 149 IPC and Sections 3, 4 of SC and ST Act in case FIR No.97 dated 19.11.2016 under Sections 295, 323, 341, 148, 149 IPC, registered at Police Station Subhanpur, District Kapurthala.

While issuing notice of motion, the following order was passed by this Court on 13.10.2017:-

"It is inter alia contended that it is a case of version and cross version. Petitioner Sheetal Singh @ Sital Singh initially lodged the FIR against the complainant under various provisions of the IPC and the present case is counter to that.

Notice of motion for 21.2.2018.

Meanwhile, in the event of arrest, the petitioner be admitted to interim bail on his furnishing bail bonds to the satisfaction of arresting/Investigating Officer; that he will join investigation and will abide by conditions as envisaged under Section 438(2) Cr.P.C.”

State counsel upon instructions from ASI Som Nath apprises the Court that the petitioner has since joined investigation.

However, prayer for anticipatory bail is opposed by citing the bar envisaged under Section 18 of the Scheduled Caste and Scheduled Tribes Act.

Counsel for the petitioner joins issue and adverts to the document placed on record at Annexure P-3 to contend that petitioner himself belongs to a reserved category and as such argues that the issue as regards offence to be made out against the petitioner under the Act would be debatable.

Petitioner having joined investigation, his custodial interrogation as such would not be warranted.

Prayer is allowed.

Order dated 13.10.2017, passed by this Court is made absolute.

Disposed of.

04.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No