

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-43086-2017(O&M)

Date of Decision: 22.03.2018

Mandeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Prashant Vashisht, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.199 dated 17.9.2017 under sections 323, 341, 506, 34 I.P.C read with sections 3 & 4 of Scheduled Castes and Scheduled Tribes Act, registered at Police Station, Goraya, District Jalandhar.

While issuing notice of motion on 15.11.2017, the following order was passed by this Court:-

“It is inter alia contended by learned counsel for the petitioner that only simple injuries are attributed to the petitioner and nothing is to be recovered from him and that applicability of Sections 3 and 4 of the Scheduled Caste and Scheduled Tribes, Act is a debatable issue.

Notice of motion for 22.03.2018.

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.”

Learned State counsel upon instructions from ASI Charanjit Singh would apprise the Court that the petitioner has since joined investigation.

It has gone uncontroverted that the injuries attributed to the petitioner have been opined to be simple in nature.

It is the contention raised by counsel for petitioner that allegations pertaining to use of derogatory caste related remarks/language were deliberately added only to make the offence non-bailable. Counsel further contends that the allegations as regards offence under the provisions of Scheduled Castes and Scheduled Tribes Act were not bonafide.

Without entering into the merits of the case as also submissions advanced by counsel for petitioner and in view of the fact that petitioner has already joined investigation, the present petition is allowed. The order dated 15.11.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.03.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No