

209

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5868-2019

Date of decision-02.04.2019

Kulwinder Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Swarn Tiwana, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
ASI Balbir Singh.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.03 dated 02.01.2019 registered under Sections 341, 323 and 148 read with Section 149 of Indian Penal Code and Section 3 of The **Scheduled** Castes and Tribes (Prevention of Atrocities) **Act**, 1989 (added later on) registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

On 07.02.2019, this Court had passed the following order:-

“Learned counsel for the petitioner contends that initially the FIR was registered for the offences punishable under Sections 341, 323, 148 and 149 of the Indian Penal Code ('IPC' – for short) on the statement given by complainant Harinderpal Singh son of Swaran Singh. It is further contended that subsequently offence punishable under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, was introduced. According to learned counsel, the said

offence may not be made out as the complainant does not belong to the said schedule castes or scheduled tribes category.

Notice of motion for 02.04.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.”

Learned counsel for the petitioner contends that in pursuance of the order dated 07.02.2019 the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Balbir Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation. It is also not disputed that the parties have contemplated the compromise also.

In view of the above, the interim bail granted by this Court vide order dated 07.02.2019 is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

02.04.2019

vanita

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