

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

**CRM-M No. 8017 of 2019
Date of Decision:-20.03.2019**

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. Shiv Kumar Sharma, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 300 dated 24.10.2018, under Sections 3 and 4 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Phillaur, District Jalandhar.

On 22.2.2019, this Court had passed the following order :-

“Learned counsel for the petitioner contends that the alleged occurrence took place on 15.10.2018 and the FIR has been lodged on 24.10.2018. According to him a false case has been got registered in order to create a disability to contest the panchayat elections. In view of

this FIR, the petitioner could not contest the elections and his wife, namely, Meena contested the elections as Member Panchayat and got elected.

Notice of motion for 20.3.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

At this stage, Mr. Shiv K. Sharma, Advocate has put in appearance and filed memorandum of appearance on behalf of complainant. Same is taken on record.”

Learned counsel for the petitioner contends that in pursuance of the order dated 22.2.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of the investigating officer submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 22.2.2019, is made absolute.

The petition stands allowed.

March 20, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No