

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-48266-2018

Date of Decision:08.02.2019

Sukhwinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Jaideep Verma, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners in FIR No.197 dated 20.08.2018 under Sections 420, 494, 506 IPC and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short "SC & ST Act"), registered at Police Station Sohana, District SAS Nagar.

Learned counsel for the petitioners states that in order to give the colour of serious offences, the offence punishable under SC & ST Act was initially added in the case, so that the petitioners may not get anticipatory bail in the case. Even otherwise, as per allegations made in the FIR, no case under the SC & ST Act is made out. No such words have been uttered, which may invoke the provisions of SC & ST Act. He further states that pursuant to the order dated 31.10.2018 passed by this Court,

petitioners have joined the investigation.

Learned State counsel, on instructions from SI Verma Singh, does not dispute the aforesaid fact and states that the custodial interrogation of the petitioners is no more required at this stage.

Heard learned counsel for the parties.

The words were not uttered in public. It is only during the course of trial, culpability of the petitioners is to be established. Since the petitioners have joined the investigation and their custodial interrogation is no more required, present petition is allowed and the interim bail granted to the petitioner vide order dated 31.10.2018 is made absolute.

However, if required, the petitioners shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

February 08, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No