

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

**CRM-M No.49998 of 2018 (O&M)
Date of Decision : 13.03.2019**

Baljit Singh

..... Petitioner

Versus

The State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Kulwant Singh, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

Mr. P.S.Punia, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.91 dated 17.09.2018 registered under Section 3(1) (xiii) of Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, 1989 at Police Station Maloud, District Ludhiana.

On 15.11.2018 the following order was passed:-

“It has been submitted that the petitioner is the resident of village Ber Kalan. He has submitted more than one applications with regard to embezzlement of Panchayat funds by the Sarpanch. However, said applications were inquired into and were filed.

FIR has been lodged by said Sarpanch-Dharam Pal Singh for initiating action against the petitioner under Section 3(1) (xiii) of Scheduled Caste and Scheduled Tribe (Prevention of Attrocities) Act, 1989.

Notice of motion for 13.3.2019.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) (i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

Learned State counsel on instructions from ASI Harbans Singh accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 15.11.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

13.03.2019

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No