

207

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

**CRM-M-29740 of 2019**

**Date of decision: October 29, 2019**

Ajmer Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:** Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

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**MAHABIR SINGH SINDHU, J**

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.31 dated 14.04.2019, under Section 304-A of the Indian Penal Code, 1860 (Sections 3(i)(j), 3(2) and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 3, 7, 8, 9 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 added later on), registered at Police Station City Kurali, District SAS Nagar.

On 18.07.2019, this Court has passed the following order:-

*“Learned counsel for the petitioner submits that an inquiry was conducted in the matter by the Sub-Divisional Magistrate, Khakar, District SAS Nagar on 10.07.2019. Further submits that in the said inquiry, it has been clearly*

*concluded that this is only a case of offence under Section 304-A of Indian Penal Code, 1860 and not under Sections 3 & 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 or under the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, as there was no manual scavenging involved by the deceased and sewerage cleaning machine as well as suction tanker were being used on the spot.*

*Learned State counsel wishes to verify the above inquiry report.*

*Adjourned to 20.09.2019.*

*In the meanwhile, petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”*

Learned State counsel, on instructions from ASI Keshar Singh, has apprised the Court that after investigation in the matter, cancellation report has been prepared and the same is likely to be submitted before the Court of competent jurisdiction, very shortly.

In view of the above, order dated 18.07.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-

operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

**October 29, 2019**  
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No