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

CRM-M-39324 of 2019

Date of decision: November 26, 2019

Yadwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sapan Dhir, Advocate for the petitioner.

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

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.60 dated 30.07.2019, under Sections 342, 34, 506, 120-B of the Indian Penal Code, 1860 (for short 'IPC') and Section 3(i)(vii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short 'SC/ST Act'), registered at Police Station Sandaur, District Sangrur.

On 16.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that this is a case of version and cross-version. Reference in this regard is made to FIR No. 46 dated 30.06.2019; whereas the present FIR No.60 has been registered after a period of one month i.e. 30.07.2019.

Notice of motion for 05.11.2019.

In the meanwhile, the petitioner is directed to join the 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) Cr.P.C.”

Learned State counsel, on instructions from ASI Gurpal Singh, has stated that in terms of order dated 16.09.2019, the petitioner has joined investigation and his custodial interrogation is not required. Also to be noticed that genesis of the dispute was on account of some Gram Panchayat election and allegations are general in nature, therefore, *prima-facie* Section 3 of the SC/ST Act is not attracted.

In view of the above, order dated 16.09.2019 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

November 26, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No