

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

**CRM-M-3956-2020
Date of decision: 27.02.2020**

Baljinder Kaur**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Vikash Chatrath, Advocate &
Mr. Amanjot Singh, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

Ms. Ekjot Sandhu, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 0005 dated 08.01.2020, registered under Sections 3(1)(x) & 3(1)(vii) of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (*for short 'SC/ST Act'*) at Police Station City Gurdaspur, District Gurdaspur.

The operative part of the order dated 30.01.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that the petitioner is working as subordinate to the complainant and had given a complaint regarding sexual harassment, on which an inquiry was ordered.

Learned counsel for the petitioner further submits that the present FIR is a counterblast to the aforesaid complaint given by the petitioner against the complainant and from the bare perusal of the FIR, no offence under

Sections 3(1)(x) & 3(1)(vii) of the SC/ST Act is made out.

Notice of motion for 25.02.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 30.01.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Lakhbir Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

Learned counsel for the complainant, however, has opposed the bail on the ground that it has come in the inquiry conducted by the Deputy Commissioner, Gurdaspur on 07.02.2020 that the petitioner has changed her statement with regard to allegations.

Be whatsoever, considering the fact that the petitioner has joined investigation and she is stated to be not required for any further investigation, the petition is allowed and the interim bail granted to her, vide order dated 30.01.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

27.02.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No