

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM No. M-13247 of 2020
Date of Decision : 01.07.2020

Gagandeep Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jasraj Singh, Advocate for the petitioner.

Mr. Joginder Pal Singh Ratra, DAG, Punjab.

Mr. Loveneet Thakur, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

The petitioner is seeking anticipatory bail in FIR No. 53 dated 11.05.2020, under Sections 324, 323, 452, 506, 34 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Chabbewal, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 29.05.2020. Order dated 29.05.2020 is as under:-

“The petitioner Gagandeep Singh has filed the present

petition inter alia with a prayer to grant pre-arrest bail to him. The petitioner has been allegedly involved in case FIR No.53 dated 11.05.2020 registered at PS Chabbewal, District Hoshiarpur under Sections 324/323/452/506/34 IPC and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner submits that the petitioner is a young boy only of 20 years of age. He has been falsely implicated.

On a specific query raised by the Court, counsel for the complainant and the State counsel only made reference to the allegations in the FIR to support that there was enmity between the petitioner and the complainant.

Learned counsel for the petitioner also submits that the provisions of various Acts have been abused only to add the allegations in the FIR. He also submits that the petitioner is a student and because of the present COVID situation, the petitioner was stranded in the village whereas he has to pursue his studies. Counsel for the petitioner further submits that there was a delay in registering in the FIR.

Notice of motion.

On the asking, Mr. Luvinder Sofat, AAG Punjab accepts notice on behalf of the State of Punjab and Mr. RS Dhir, Advocate who is present also accepts notice on behalf of the complainant, through video conferencing.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the investigation and appear before the Investigating Officer on 05.06.2020.

List on 01.07.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing

personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) CrPC

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Satwinder Singh states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required.

In view of the above, the order dated 29.05.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the police that petitioner is required for the investigation but is not co-operating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

July 01, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No