

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

CRM-M-20584-2020(O&M)

Date of decision: 17.09.2020

RAJINDER SINGH ALIAS KAJJU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Sanchit Punia, Advocate for the petitioner

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

ANIL KSHETARPAL, J. (ORAL)

On 28.7.2020, this Court passed the following order:-

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.12 dated 25.1.2020 registered under Sections 3(1) (s) of SC/ST Act at Police Station, Shambhu, District Patiala.

Counsel would inter alia contend that even as per version of the complainant Jasparamvir Singh, he was not himself present at the spot when the derogatory remark “Chhura” was uttered. Further contends that even in the inquiry conducted at the hands of the investigating agency it has been concluded that the offending remark was not directed against any particular person. It is argued that under such circumstances offence under the provisions of the SC/ST Act would not be made out.

Notice of motion, returnable for 17.9.2020.

On the asking of the Court, Mr. Gaurav Garg Dhuriwala learned Sr. D.A.G., Punjab accepts notice on behalf of State and waives service. A complete copy of the petition already stands furnished to learned State counsel.

In the meanwhile, petitioner is directed to join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2)Cr.P.C.”

Learned State counsel on instructions from ASI Malvinder Singh, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation at this stage.

In view of the above, the order dated 28.7.2020 is hereby made absolute.

The petition stands allowed.

17.09.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No