

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.21858 of 2020

Date of Decision: November 03, 2020

Balraj Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasmail Singh Brar, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.149 dated 20.09.2018, under Sections 324, 323, 341, 148, 149 IPC, 1860, Sections 3 and 4 SC/ST Act, 1989 (Amendment 2015) (deleted later on), Section 201 IPC and Sections 3(1)(r) and 3(1)(s) SC/ST Act (added later on), registered at Police Station, Gidderbaha. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 06.08.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“CRM-18857-2020

Application is allowed, subject to all just exceptions.

CRM-M-21858-2020

Learned counsel for the petitioner contends that at the time of registration of FIR No.149 dated 20.09.2018, though the name of the petitioner was mentioned, but while examining

the statement of the complainant, it was found that the case for commission of offences punishable under Sections 323, 324, 341, 148 and 149 IPC and Sections 3 and 4 Schedules Castes and Scheduled Tribes Prevention of Atrocities Act, 1989, was made out against the other accused persons. Learned counsel has further pointed out that previously there was no apprehension of arrest to the petitioner, who is now facing apprehension of arrest at the hands of police in the above case.

Notice of motion for 03.11.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Sukhpal Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.08.2020 is made absolute.

November 03, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No