

212 IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-28079-2020(O&M)

Date of decision: 25.09.2020

Lovepreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Swarn Tiwana, Advocate for the petitioner

Ms. Samina Dhir, DAG, Punjab

Ms. Anupam Bhanot, Advocate for the complainant

ANIL KSHETARPAL, J. (ORAL)

On 16.9.2020, the following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.175, dated 14.06.2020, registered under Sections 323, 341, 506, 148, 149 of the Indian Penal Code, 1860 (Section 3 (i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 added later on i.e. on 12.08.2020), at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

As per case of the prosecution, the first informant had been residing with his family as a tenant on payment of rent at the house of Taranjeet Singh and there was some dispute with regard to non-payment of rent which resulted into a scuffle.

Learned counsel for the petitioner contends that the Police had registered a case under Sections 323, 341, 506, 148 of the Indian Penal Code and since all the offences were bailable, therefore, the petitioner was released by the Investigating Officer after admitting him to bail. He, further, contends that after a period of two months, the offences under Section 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, have been added with a malafide intention. He further contends that from the reading of the FIR, no offence under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989,

is made out.

Notice of motion.

Mr. Saurav Khurana, DAG, Punjab, appeared on behalf of the State of Punjab and Ms. Anupam Bhanot, Advocate, appeared on behalf of the first informant.

Adjourned to 25.09.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

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

In view of the above, the order dated 16.9.2020 is hereby made absolute.

The petition stands allowed.

25.09.2020

rekha/pawan

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No